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COUNTY OF ALAMEDA

MUNICIPAL-TYPE SERVICES

IN THE

UNINCORPORATED AREA

WORKING DRAFT

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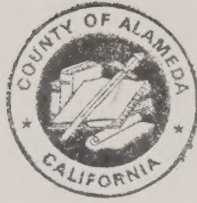
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COUNTY ADMINISTRATOR

March 11, 1974

Supervisor Fred F. Cooper
Board of Supervisors
Administration Building
Oakland, California 94612

Subject: Municipal-Type Services in
the Unincorporated Area

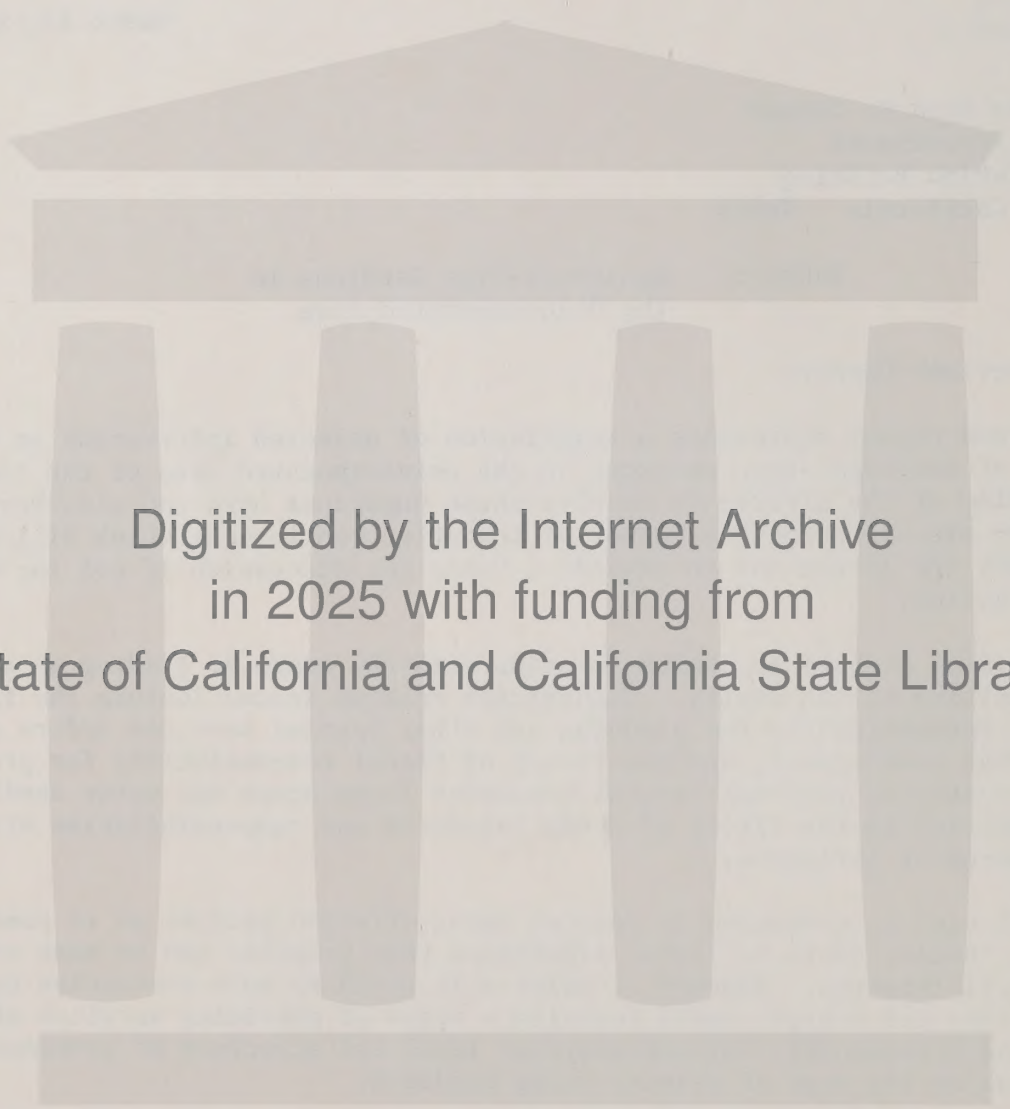
Dear Supervisor Cooper:

The attached report represents a compilation of selected information on the question of municipal-type services in the unincorporated area of the County, and a review of the efforts to resolve these questions here and elsewhere. The report also sets forth a number of tentative conclusions which will serve to identify the issues and to provide a basis for discussion if not for decision and action.

The overriding problem in coming to grips with the issue is finding an acceptable definition of tax equity. Significant related issues include the fixing of fiscal responsibility for planning and other special services before and during urban development, and the fixing of fiscal responsibility for preserving and protecting regional natural resources (open space and water shed), and the recognition by the cities of their interests and responsibilities within their spheres of influence.

Until such time as consensus is reached among affected parties as to some of the basic issues, there is little likelihood that progress can be made toward resolving differences. However, I believe it would be more productive to devote our time and energy toward devising a means of providing services efficiently and economically through whatever level and structure of government is most suited to the type of service being rendered.

Because of the volatile nature of the subject and the tentative nature of the conclusions, there is an obvious need to provide an opportunity for considerably more than the usual amount of review, reaction and input from interested and knowledgeable parties. Therefore, the report is being distributed in working draft form. In fact, it should be regarded as a first draft, prepared without benefit of review by those who are in a position to provide essential information that will contribute toward greater validity and usefulness. Thus, it is anticipated that the readers of the report will respond freely with suggestions for modifications and refinements.



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Supervisor Fred F. Cooper

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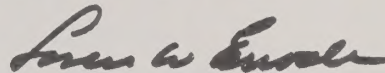
March 11, 1974

The draft contains in unmodified form all of the original material as developed by my staff, including certain highly subjective remarks. While these do not necessarily represent my own views, I feel that no purpose would be served by deleting any ideas at this stage, and that they might in fact serve to evoke significant responses.

It is intended that this working draft be shared with the affected County department heads and representatives of cities, special districts, and other governmental agencies. I am looking forward to receiving their comments.

I will be especially interested in your own reactions, as well as those of other members of the Board.

Very truly yours,



Loren W. Enoch
County Administrator

LWE:PB:hs

Attachments

cc: Members of the Board

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DRAFT

MUNICIPAL-TYPE SERVICES
IN THE UNINCORPORATED AREA

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DRAFT

MUNICIPAL-TYPE SERVICES TO THE
UNINCORPORATED AREA

FOREWORD

City-County Standoff

The subject of municipal-type services in the unincorporated area of the County is commonly presented under the title "City-County Tax Inequity." An inequity can be found to be as readily a city inequity as a county inequity, the difference being dependent upon the source of the study. With little likelihood of any agreement between the city and county taxpayers or representatives as to tax equity, perhaps more important purposes would be served by predicting a standoff, and by turning our attention to solving far more important problems related to local government organization and the delivery of public services.

Apart from the uselessness of rehashing the appropriateness or accuracy of the data used to support the various points of view, there is a danger in the constant public airing of the inequity complaints. In the first instance, public bodies perform a disservice to taxpayers whenever they waste public funds in futile, unproductive finger-pointing activities, especially when the real solution to the equity problem lies in finding better ways to perform services irrespective of political boundaries.

Other reasons for not having a public airing of the city-county controversy are that: describing a controversy does little to enhance the public's esteem for their local governments; it provides what many will consider as just another interesting "side-show;" and it raises a certain number of philosophical and procedural questions.

Among other things, the report rejects the notion that municipal-type services in the unincorporated area can be equated with medical, social and correctional services in the core city. This has been a handy equation which people do not want to discard because of its importance in defending the status quo.

Equity, whether it relates to a taxpayers' obligation to support the poor, or to the orderly development of undeveloped areas; or to a city's responsibility to annex areas which it completely surrounds or which is within its spheres of influence, is highly subjective. While fertile ground for antagonists, it is neither an area of inquiry which offers much challenge for the analyst, nor an environment in which he belongs.

Whereas the report sets forth a number of conclusions, the gut recommendation is that the report be used as a catalyst for discussions and we refrain from inciting the taxpayers to take up opposing positions on the city-county issues.

Political Reform

There is much interest among reformers in the thesis that it makes little difference who provides the service so long as the job gets done. Where appropriate, they see an acceptance of a partnership between local government and the private sector, as exemplified by some of the Short-Doyle and Revenue Sharing programs, in order to provide services in the most efficient manner. They see cities sharing the present county and state responsibilities for certain social services. And probably to be considered as relating to these concepts are a number of proposals which might be described as "sharing the wealth by sharing the poor."

According to the literature in the field, there should be more interest in bringing together the often-separated streams of proposed reforms described as 1) those concerned with substantive problems (education, housing, health, welfare), and 2) those concerned with structure. For the purpose of this study, no particular thesis is propounded except that any rather isolated approach, such as tax equity, not only begs some of the major reform issues but may also actually serve to thwart reform measures.

Constructive Criticism

It is hoped that the report can serve as a vehicle for encouraging a basic reorganization of services rather than an attempt to define and finance the services as they exist. It should be a point of departure for productive discussions of a number of issues, but not as a crutch, nor as the focal point for accusations, nor as a subject for debate involving its objectivity or methodology, its departure from the 1962 study format, its disinterest in those county-wide general fund services which are of special benefit to the cities and special districts (e.g., PIN, tax assessment, tax collection, purchasing).

INTRODUCTION, SUMMARY AND CONCLUSIONS

MUNICIPAL-TYPE SERVICES TO THE
UNINCORPORATED AREA

INTRODUCTION, SUMMARY & CONCLUSIONS

Introduction

For divers reasons, claims are periodically made on behalf of the residents of cities in Alameda County that gross inequities exist in the manner in which municipal-type services are financed for the unincorporated area. For their part, the residents of the unincorporated area deny the existence of such inequities and see no need to change either the financial base or the restricted levels of services. However, if a change is required a way must be found to insure: 1) that they will be entitled to no less than their share of the taxes generated within the unincorporated area; and 2) that they will not be required to carry the burden of servicing watershed, recreational, and other regional resources.

Prior studies in this county and studies in other counties have resulted in a standoff between the two factions. In fact, where the contention has been made that sales taxes should be allocated on a per capita basis, usually it has been found that the residents of the unincorporated area are supporting services within the cities, and not the other way around.

Political, provincial, social and economic biases are so strong as to thwart any meaningful resolution of the problem. It has many of the elements of controversies such as the hills vs. flatlands, core city vs. suburban communities, bedroom communities or cities vs. commercial centers, the rancher vs. city folk, the developer vs. the public. Also, political boundaries and prejudices, and the self-interest of cities remain major barriers to the realization of true equity however one might wish to define the term.

Sales Tax Equitability

Resolution of the sales tax issue is paramount for it alone can balance the equity scale. It is epitomized by the Ashland situation. Here virtually all sales tax paid by Ashland residents goes to neighboring cities where sales tax revenues are a major source of income. In fact they greatly exceed the law enforcement costs. Query: Does equity mean that the neighboring cities should use sales tax revenue to provide police protection to Ashland or should the County form a service area so that police protection can be provided by a property tax levy? Why not allocate sales tax revenues on a per capita basis?

A second sales tax situation adds some other dimensions, but presents the same basic issues. A look at boundaries of Livermore and Pleasanton will show that commercial property along the main circulation routes have been strip annexed because they are an asset to the cities. Patronage by the residents of the unincorporated area not only sustain their commercial value thereby enhancing their productivity of property taxes, but they produce business license revenue. More importantly the sales taxes which were a County revenue are transferred to cities. (When it comes time to discuss "equity", cities usually argue that there are excessive costs of servicing these areas because of the demands of or congestion caused by the residents of the unincorporated area). Query: When annexation takes place, should the sales taxes paid by all residents patronizing the annexed area be used to provide services to these residents, or should the property taxpayers of the area excluded from annexation be required to pick up the additional burden? Is it proper to equate these taxes with municipal-type services? In other words, should each annexation result in a property tax increase for persons outside of the annexed area?

Scope of the Study

In view of the problems of defining "equity", this study has been directed, rather, toward recording the status of various efforts here and elsewhere which would eliminate some of the criticism and confusion, and which would provide a clarification and better understanding of issues. While superficial in most program areas, and somewhat devoid of definitive fiscal information, it is intended to promote inquiry or remedial action on a rather broad front. It points toward related issues of: 1) associating revenue with services; 2) enhancement of local-determination of levels of services; 3) fostering efficiency and economy in providing services irrespective of political barriers; and, 4) development of political entities which are responsive to the needs of the people and not to the needs of those who control the government. This latter reference is to the need to provide services on a functional basis, at a level which is most appropriate to the type of service being rendered.

Summary and Conclusions

A number of developments are taking place which will help clear the air with respect to services in the unincorporated area. The primary development is the involvement of the Local Agency Formation Commission in determining the appropriateness of special districts and the spheres of influence. LAFC's handling of the Board of Supervisors' request for a County Service Area for fire protection may well establish an approach for other services, particularly as these affect the sparsely populated areas.

Among the other developments are the current legislative hearings on the County Service Area Law, specifically, AB 2374. At issue are mandatory provisions requiring the formation of a county service area or areas covering the entire unincorporated area. Attention is also being focused on the problem by the Governor's Task Force on Local Government Reorganization, not to mention the restrictions imposed by the property tax ceiling.

Several communities in the County are ripe for annexation. The respective needs of these communities and adjacent cities should receive close attention before any steps are taken to establish an additional layer of government. Hopefully, LAFC will provide some guidance in promoting annexation, but if not, the cities must come to grips with it, and be prepared to support a realistic sharing of sales tax and related revenues.

Conclusions

The following tentative conclusions have been drawn:

1. The Board of Supervisors should pursue with the Local Agency Formation Commission the establishment of a County Service Area for fire protection services.
2. Should the foregoing fail the Board of Supervisors should immediately remove its own tax inequity within the County Fire Protection Districts. Property owners in the districts should not be required to pay for fire services outside these districts. Cities should be encouraged to do likewise, as evidence of their concern about inequity and having been given a remedial course of action. This approach by both the County and the cities will result in a de facto service area for fire protection.
3. The Board of Supervisors should initiate the formation of three County Service Areas for the provision of police protection to the unincorporated area other than watershed and rangeland, namely:
 - Eden & Washington Township
 - Pleasanton Township
 - Murray Township
4. No action should be taken by the Board of Supervisors to establish such County Service Areas unless and until the residents of the communities

included therein, having expressed themselves as favoring annexation, have been rejected by the city to which they wish to be annexed, or have expressed themselves as rejecting a proposal for annexation.

5. Public agencies in Alameda County should agree to concern themselves with functional consolidations, identification of respective responsibilities, elimination of duplication, and a determination of the most economical means of providing services. Citizen participation should be encouraged so as to maximize input and to gain acceptance and support for changes.
6. Public agencies should accept responsibility for insuring a regional quality of life, based on the cooperative planning and support of interrelated social, economic, and environmental objectives.
7. Urbanization must lead to incorporation or annexation.
8. The word "equity" evokes an emotional response which inhibits rational discussion of the issues. The pitfalls which lie therein must be reckoned with.

Box Score

Depending upon one's approach, one can work out any of a number of support-able relationships between municipal-type services and the revenues which do, could, or should finance these. In general, this report suggests that a good point of departure for discussion purposes might be minimum expenditures and optimum revenues. Minimum expenditures would be for those services which are of almost exclusive benefit to the unincorporated areas, namely: police protection, fire protection, building inspection, zoning enforcement, animal control, and certain public health services.

Optimum revenues is a reference which applies in this case only to sales tax, since no effort was made to gather information relative to other city revenues which might similarly be considered appropriate for per capita distribution (cigarette, motor vehicle in-lieu, fines and forfeitures, etc.).

Planning costs should probably be excluded, except to bring some balance to the relationship between expenditures and revenues. It is a subject which should be fully examined and understood before any attempt is made to allocate costs.

The following figures are given for the purpose of showing several cost and revenue relationships. The reader can draw his own conclusions and make his own adjustments. One conveniently simple ^{comparison} is the cost of police protection, building inspection and zoning enforcement, and animal control, as offset by the existing revenues attributable to the unincorporated area, even with the discounting of the sales tax revenues by .05%. This comparison conveniently drops fire protection, which may soon be provided by a County Service Area, and Planning, for the reasons set forth elsewhere.

COMPARISON OF CUMULATIVE RELATIONSHIPS
BETWEEN SELECTED EXPENDITURES & REVENUES

<u>Expenditures (Net)</u>	<u>Net Amount</u>	<u>Cumulative Total</u>
Police Protection	\$ 2,724,512	\$ 2,724,512
Building Inspection & Zoning Enforcement	35,310	2,759,822
Animal Control	0	2,759,822 ← - -
Planning (72% of budget)	346,829	3,106,651
Fire Protection	<u>280,137</u>	3,386,788
Total	\$ 3,386,788	
<u>Revenues</u>		
Sales taxes from unincorporated area, less .05%	\$ 2,172,083	\$ 2,172,083
Cigarette tax	478,657	2,650,740
Franchise tax	60,000	2,710,740
Alcoholic Beverage License	48,000	2,758,740 ← - -
Remaining sales tax from unincorporated area (.05%)	114,320	2,873,060
Allocation of sales tax on per capita basis	<u>1,373,597</u>	4,246,657
Total	\$ 4,246,657	

MUNICIPAL-TYPE SERVICES

MUNICIPAL-TYPE SERVICES

Comparative Studies

Periodically, counties are called upon to respond to internal or external pressures to remove the "tax inequities" associated with rendering services to the unincorporated areas. These inequities are real and to a considerable degree must remain. In part, the inequity represents the same situation which exists between the residential and core areas of a city, or between the suburban bedroom communities and the core city, or between the developed and undeveloped unincorporated areas. In part, the inequity represents the responsibility of the County for insuring the orderly growth, protection and nurturing of developing areas which are planned for urbanization on the County General Plan until such time as they are ready for full municipal services and status. Refusal of the cities to annex the areas, or insistence by the cities on strip annexations contributes substantially to the cost of providing services and to tax inequities. A more productive approach to the question of resolving some inequities might therefore first be to resolve the matter of annexations in accordance with the General Plan and spheres of influence.

Past studies of inequities have focused heavily on the detailed amounts and sources of revenues and expenditures. These have had little meaning in the absence of the general acceptance of the respective responsibilities of cities and counties, in the absence of agreement on philosophical and political issues, and without a willingness to act on even the most basic issues. Therefore, the present study is primarily a review of the current situation in the major problem areas, with certain tentative and hopefully provocative conclusions being set forth as to an appropriate course of action.

Several years ago a massive study was carried out jointly by the administrative offices of the City and County of Los Angeles. The study was requested by the League of California Cities and was coordinated by a League Committee. No stone was left unturned in allocating revenues and expenditures; basically, there was no disagreement on these. However, there were substantial differences in the conclusions drawn by the respective agencies, and each issued its own report. The City determined the inequity to be \$20,000,000. The County acknowledged a \$5,000,000 inequity, but did not consider this to be significant. The difference between the City and County approaches involved the issue of the allocation of the sales and cigarette taxes. The recommendation to the Board of Supervisors by the Chief Administrative Officer as a result of the study reads:

"That your Board instruct our legislative representative to oppose any legislation to establish mandatory County service areas in the unincorporated area unless and until legislation is enacted to distribute sales and cigarette taxes on an equitable basis."

Here the County was challenging the County-wide tax structure, complaining that the difference in the sales tax return of \$9.16 per capita in the County as against \$24.02 in the cities was an inequity in itself.

This was not much different from Alameda County's 1962 effort, which is recorded in an 87-page, heavily documented treatise. This was the culmination of three years of review of the subject prompted by pressure from the individual cities and the Mayors' Conference, which had prepared a report on "Free County Services in the Unincorporated Area." In 1960 the County had

prepared a preliminary response, which served to clarify the issues and validate the procedure. By allocating all County services on the basis of benefits to residents of either the cities or the unincorporated areas, the report concluded that the city residents were being supported by the taxpayers of the unincorporated area.

A tabulation of the results showed:

	Benefits Received from County <u>Expenditures</u>	<u>Population</u>	<u>Assessed Value</u>
Cities	90.9%	87.0%	90.4%
Unincorporated Area	9.1%	13.0%	9.6%

Contained in the report was mention of the Board policy regarding level of service to residents of the unincorporated area, this being that it is the function of the County to provide basic services at a minimum level consistent with the health and welfare of the residents of the entire County. Any services over and above this minimum level must be provided by incorporation, annexation to an existing city, or formation of a special district.

Available Revenues

Currently, the County receives a 1% tax on sales in the unincorporated area, and .05% on sales within the cities. The cities receive .95%. There are four approaches as to how sales tax should be viewed.

1. The most equitable distribution would be on a per capita basis, since some cities and unincorporated areas have almost no business activity. (Los Angeles County approach).
2. The purpose of the .05% which the County receives from sales within cities is to compensate for the foregoing inequity, and all the County's sales tax revenue (including the .05%) should therefore be used in the unincorporated area.

3. The city-derived .05% should be used for County-wide general fund services, the justification being that it is tax relief primarily for city property owners, and it recognizes the additional cost to the cities for services to the businesses patronized by non-residents. This leaves the 1% non-city portion for allocation to unincorporated area expenses.
4. The County should allocate 5% of the tax derived in the unincorporated area, for expenditures on County-wide services (thereby matching the amount contributed by the cities for such purposes).

Depending upon which of the approaches is selected, the County could consider as offsetting revenue for services in the unincorporated area, one of the following amounts based on 1973-74 sales tax projections (budgeted):

1. Per capita allocation	\$ 3,660,000
2. Sales tax revenues now received	3,687,747
3. Sales tax generated in the unincorporated area	2,286,403
4. 95% of the sales tax generated in the unincorporated area	2,172,083

There has been a marked change in the sales tax revenue picture over the past two years, both as to amount and as to the proportion derived from unincorporated area sales. Despite its vulnerability to economic changes, a continued high yield is predicted for the immediate future.

SALES TAX REVENUE

<u>Year</u>	<u>Budgeted</u>	<u>Estimated/Actual</u>
1972-73	\$3,107,760	\$3,539,382
1973-74	3,687,747	3,800,000

SOURCE OF REVENUE

<u>Year</u>	<u>From Cities (.05%)</u>	<u>Unincorp. Sales</u>
1972	42.57%	57.43%
1973 (est.)	38.00	62.00

A County Viewpoint

In addition to the sales and use tax, some of the following taxes could probably be allocated to the unincorporated area for the support of municipal-type services:

- . . . Cigarette tax. This tax is collected by the state and 30% thereof is returned to the cities and counties in proportion to their respective shares of sales tax revenues. The County's 1973-74 revenue from this source is budgeted at \$478,657; probably more than \$500,000 will be realized. Not only could the entire amount be logically applied to unincorporated area services, but as a matter of equity a per capita sharing of the county-wide revenues should be considered.
- . . . Fines and Forfeitures. Revenues from this source are extensive, and is shared by the cities and the County. The County receives far less than is necessary to maintain the municipal court system, and the lion's share goes to the cities for law enforcement. In the interest of equity, some allocation should be made for law enforcement in the unincorporated area.
- . . . Alcoholic Beverage License Fee. This is a small item (\$48,000) which should possibly be considered allocable to the unincorporated area.
- . . . Motor Vehicle In-Lieu Taxes. More than \$7,000,000 is received annually by the County, which is part of a 50-50 split with the cities. The cities obviously use their funds for "municipal-type" services; the County general fund is credited with the County share. In the interest of equity, perhaps some of the county share should be found allocable for corresponding services in the unincorporated area.

No attempt was made to figure per capita allocations for any of the revenues except sales tax. In order to get some idea as to the availability of funds to offset the cost of services to the unincorporated area, using various approaches (but excluding any consideration of motor vehicle in-lieu, and fines and forfeitures) we find:

	Total Received	Generated In Unincorp. Area	
		@ 1%	@ .95%
Sales & Use Tax	\$3,687,747	\$2,286,403	\$2,172,083
Cigarette Tax	478,657	478,657	478,657
Alcoholic Beverage	48,000	48,000	48,000
Total	\$4,214,404	\$2,813,060	\$2,698,740
Unanticipated Increase	143,596	143,596	143,596
	\$4,358,000	\$2,956,656	\$2,842,336

Impact of County Services

The County's 1962 report addressed itself to all the services rendered, allocating to the extent possible the expenditures to either the cities or the unincorporated area. The Los Angeles study, as have several others, used the identical procedure. The 1962 results showed:

	<u>Percent Total Expenditures</u>
Benefits to Incorporated Areas	72.1%
Benefits to Unincorporated Areas	7.2%
Not amenable to segregation	13.7%
County General	7.0%
	<u>100.0%</u>

Among those services for which a disproportionately higher percentage of expenditures were recorded for the unincorporated area were:

Agriculture	Library Planning
Ambulance Services	Planning
Animal Control	Police Protection
Building Inspection	Surveyor
Farm Advisor	Zoning Enforcement
Fire Suppression	

The cities were of the opinion that there was a similar imbalance with respect to Assessor and School Department services, sanitation inspections and tax collection. The County findings did not support the cities' contentions.

For the purpose of this report, only those services which are provided exclusively in the unincorporated area are being considered despite a contrary precedent and despite the validity of associating tax equitability with the benefits received. The rationale for a departure from the traditional approach is discussed below.

The exclusively unincorporated area services include the following:

Animal Control	Sanitation Inspections
Building Inspection	(of a different but generally
Fire Protection	comparable nature)
Sheriff Patrol	
Zoning Enforcement	

Except for fire protection, these services are rendered to approximately 140,000 persons in 43,000 households. As for fire protection, most of the residents of the unincorporated area are in fire protection districts, leaving only 9,500 persons in 2,100 households receiving County coverage. This latter fact is very significant since there has been a tendency in this County to associate police and fire services, applying these to the same area, tax base, population served, etc. To repeat, about 14 times the number of residents of the unincorporated area receive police and certain other services, than receive fire protection from the County.

The assessed value of taxable property in the areas in question is approximately as follows:

Cities	\$ 3,065,000,000
Unincorporated	<u>370,000,000</u>
Total	\$ 3,435,000,000

Core City, County-Wide & Open Space Requirements

A very popular approach to the subject of tax equity consists of equating the cost of core city services with unincorporated area services.

"We pay for your health, welfare and probation problems, so why shouldn't you pay for municipal-type services to the unincorporated areas." The acceptance of this theory is rather widespread, perhaps primarily because it maintains the status quo, is an approach of least resistance, and recognizes de facto situations which may not be so easily changed.

Critics of the status quo use the following arguments:

. . . Public medical, welfare and probation services are not those which taxpayers purchase for themselves in the same way that they purchase road, sewer, lighting, library, police and fire services. State law does not give communities the option of supporting or not supporting services for its needy and asocial citizens, and no core community could be expected to obtain these services at its own expense. Furthermore, wherever the more affluent persons reside, they are charged with the responsibility of caring for the disadvantaged.

. . . The core cities attribute many of their fiscal problems to the bedroom communities, citing the high cost of providing for the safety, protection, health, movement and convenience of these people who pay less than their share of the cost of the services they require at their places of business.

- . . . Some people move from the cities to the unincorporated areas and bedroom communities to avoid the fiscal and social cost of the core city activities - this compounds the problem.
- . . . The determination of the level of fire and police service should be made by the people who pay for it. The taxpayers of cities who support their own police and fire services should not be expected to respond to the demands of the people in the unincorporated communities for an ever-increasing level of service. Home rule determinations should be fostered by establishing responsive governmental entities which will provide equitable and adequate protective services.

The conclusion must be reached that there is no way to establish an equitable share of the public health, medical and probation burden among the various population groupings in the County, whatever these might be, nor is there any social or philosophical basis for suggesting that it is reasonable to do so. By the same token, those persons receiving municipal-type services should pay for these, and every attempt should be made to identify them and to provide a mechanism for recovering them.

A special situation is posed by those sparsely-settled regions which have a unique importance as open space. This includes forested, range, watershed, recreational and certain agricultural lands, much of which has by public policy been afforded protection as a means of enhancing the region's quality of life. Since the cost of providing services to this area cannot be supported by taxes on such land or its few residents, a County-wide obligation results. An alternative to County general fund support would be the inclusion of this area in a County Service Area encompassing the entire unincorporated area. Recently enacted legislation contemplates such an approach, and amendments thereto are being supported by the

cities to mandate the establishment of such a County Service Area. But requiring solely the residents of the unincorporated area to support the services for the preservation of open space is inequitable and burdensome, and that problem will be aggravated by annexations or incorporations. (See discussion of AB 2374 in Appendix A - County Service Area Law).

FIRE PROTECTION

The matter of fire protection has very little in common with the other unincorporated area issues, and considerable deliberation concerning how it is to be provided has taken place, particularly in recent years. The numerous reports, proposals, opinions, have kept this matter in an active status almost continuously, and has isolated the fire protection problem from the others which are a matter of concern in this report. However, the fact that in 1973-74 an estimated \$280,137 will have been spent from the County general fund for fire protection requires that some attention be given this matter.

Those factors which distinguish the fire protection services from other services are the following:

. . . Section 25643 of the Government Code reads in part "Taxes for the cost of County fire protection services shall be levied only on property within the County served by and benefitting from County fire protection services, or such costs shall be paid from other non-property tax revenues collected within the unincorporated area of the County". The same section of the Code continues: "Every city or district which provides its own fire protection services, and which prior to March 1 of any year filed with the Board of Supervisors of the County a resolution declaring that such city or district is providing fire protection services within its jurisdiction, shall not be assessed.... for any portion of the cost of fire protection services, except for the cost of forest, range, and watershed fire protection..." .

. . . Of the total assessed value of property in the unincorporated area, \$382,935,808, fire protection is supported by district taxes on property valued at \$311,886,285. This leaves only \$71,049,523, or 18.6% as a property tax base for the County fire protection service.

. . . The Board of Supervisors has already approached the Local Agency Formation Commission with a request for the establishment of a County Service Area through which County fire services would be provided.

. . . Should the cities wish to exempt their property taxpayers from this tax burden, they may act to do so at once. Furthermore, the Board of Supervisors, as the governing body for existing fire protection districts or service areas, could immediately remedy the inequitable tax situation similar to that experienced by the city property owners.

. . . There is an overshadowing problem of the reorganization or consolidation of existing fire districts and how the proposed County Service Area might relate to this.

. . . Not unrelated to the foregoing is the matter of how the fire protection would be rendered: by contract with the State Division of Forestry; by contract with cities or other fire protection districts; or by County forces. The political ramifications of this aspect can cloud the real issues.

Ideally, fire protection should be totally integrated County-wide. The next best alternative is to integrate the city, County and state services in the Livermore-Amador Valley, and for the other areas not now served by cities or fire protection districts to secure coverage from an existing city or district service. One of

the serious problems in the fire protection picture are the islands of unincorporated area surrounded by incorporated areas, and on the other hand, there are strip annexations by which cities have effectively jeopardized the efficiency of rendering fire protection to the unincorporated area not to mention depriving the County of the tax base necessary to support fire protection services.

Concerning one of these islands surrounded by Hayward, on January 8, 1974 Chief Jimenez telephoned both the Sheriff's office and this office to complain that the City of Hayward Fire Department had responded to 25 calls during 1973. He was asked to record his complaints officially at which time the Board of Supervisors would consider an appropriate response. Presumably, the Board would suggest that Hayward undertake annexation proceedings with LAFC. The important point here is that the cities have failed to do their part in remedying such situation.

With respect to the Livermore-Amador Valley, where the County maintains a fire station in the City of Livermore and contracts with the State for services out of Sunol, a report filed on Dec. 26, 1972 by the Fire Chief of Livermore addressed itself to the feasibility of having the city assume the responsibility for fire protection in Murray Township. The recommendation of the Fire Chief was that:

"County action regarding alternative means of fire protection be held in abeyance pending receipt and analysis of a joint study on the feasibility of valley fire department consolidation in which the County was urged to participate7"

Several findings and comments in the report deserve attention. Among these is the following: "Reasoning indicates that natural cover and water shed protection of an area as vast as the Murray Township is of a common interest and obligation to all residents of Alameda County. However, the matter of structural protection is perhaps

that of individual benefit and responsibility. Therefore, future consideration in the establishment of a fire service area to supplementary support the various alternates and improvements in fire protection of the rural areas would not appear unreasonable".

The report considered as "not impractical" the city's assumption of the fire protection responsibility for the township "provided the County administration recognizes the need for certain levels of protection and would agree to afford funds to accomplish it".

It is reported that the attempts of the valley fire chiefs to reach agreement on how consolidation might be achieved has made no progress and that there is little likelihood that the future holds any promise for a change in their respective positions.

During the spring of 1973, the County undertook negotiations for a contract with the State Division of Forestry for supplemental fire coverage in the Livermore Valley. As at present, the county fire patrol was maintaining year around protection from a station in Livermore and the state provides fire seasonal watershed protection to the same area from stations first outside the county at San Antone on Mines Road, Castle Rock on Telsa Road, and Sunshine on Marsh Creek Road.

The proposed contract, recommended by this office and the Director of Field Services, and approved as to form by the County Counsel and State would have reduced the cost to the County from an estimated \$182,369 (1972-73) to about \$73,000. The minimum first response under the proposed contract would be one truck and two men; the same service level as is provided at Sunol. The present minimum county fire service response is one truck and three men.

The Sunol contract had been entered into in 1967, with the consolidation of state and county programs at that location. The net result has been regarded as achieving both economy and efficiency. The proposed Livermore station contract met with stiff local resistance, since which time the Board placed the matter of a County Service Area in the hands of LAFC. Reports and recommendations concerning this move are included in Appendix B.

Because the State Division of Forestry has come to play such a significant role in urban and rural fire protection, some brief comments concerning this program follow. Furthermore, this office has recorded its recommendation to the Board of Supervisors that any consideration of transfer of responsibility for open space fire protection should include the State Division of Forestry.

Section 4125 of the Public Resources Code provides that the State Board of Forestry must classify all lands in the state "for the purpose of determining areas in which the financial responsibility of preventing and suppressing fires is primarily the responsibility of the State". Lands included in state responsibility areas are:

- (a) forested lands
- (b) water shed
- (c) range lands contiguous to the foregoing

In Alameda County the State is responsible for 300,000 acres, but provide protection to this area only during the fire season. However through a contract with the County, as mentioned above, supplemental coverage is provided to the Sunol area. There is a growing trend among counties and fire protection districts to take this approach. In 1972-73, the State administered 31 contracts for fire protection services in 25 counties, amounting to \$18,001,124. Alameda County's

contract amounted to \$66,210. Information concerning fire services in other counties is included in the Appendix.

Resolving the fire protection matter before moving to resolve other unincorporated services matters is important for a number of reasons. Some of these are:

1. It will remove an inquiry affecting not only city residents but those of the unincorporated area fire districts.
2. It will establish an approach to the hinterlands question.
3. It will come to grips with the cities' obligation to annex pockets and to accept sphere of influence responsibilities.
4. It will force a realistic appraisal of the level of service and of ways to economize, since the residents of the County Service Area will be picking up the costs. (Tax rate would be about \$.40-.50 which is well within the range of costs elsewhere; see Appendix B).

LAW ENFORCEMENT

The cost of providing law enforcement in the unincorporated area is detailed in Appendix C. Exclusive of the cost of county-wide support services, the 1973-74 budget includes an amount of \$2,724,512 for criminal division expenses in providing law enforcement services in the unincorporated area.

There is some justification for the traditional approach to the unincorporated area police protection question, namely, that here is a service required by law, that it is provided at a minimal level (about one-half the normal level), and that it is in the interest of the cities that the unincorporated area not become a haven for criminals. However, this approach has serious defects, especially ^{for} the developed areas.

It would be preferable to support an effort to consolidate all county law enforcement agencies. Consolidation of some functions has taken place, and this is a more legitimate move than to fragment service by establishing additional districts or services.

In the event the equity issue remains paramount, then it should be proposed that there be created three additional county service areas, namely: 1) Washington and Eden Township, except for open space; 2) Pleasanton Township, except for open space; 3) Murray Township, except for open space. The County would continue to support from general funds the patrolling of the open space. Establishment of a fourth service area covering the open space may or may not be advisable. No figures were gathered on the possible cost of the back-country service, since it is not known how LAFC may choose to interpret "spheres of influence" and "open space" for purposes of establishing the foregoing or different service areas.

PLANNING

The only logical approach to planning is on a regional level, with open-space, transportation, waste management, circulation, air quality, flood control, agriculture, housing, industry, and many other elements being given coordinated attention in order to insure optimum quality of life now and in the future.

The problem of fixing the benefit of planning activities is frequently a matter of public discussion. Here the Board of Supervisors has already taken a position by limiting Planning Department fees to only a portion of the cost of the service being rendered, e.g., the service to property owners seeking relief from land use restrictions.

Planning activity is heaviest in the transition areas where orderly development is obviously of more concern to the community at large than it is to the speculator. Development controls are highly important on property adjacent to the cities, where the quality of urban life is dependent upon the restrictions imposed on land just beyond city limits.

State law fixes the responsibility of the Board of Supervisors for adopting a general plan, with its many mandatory elements. Even if there were not a single resident in the unincorporated area, the costs would be present. How could the County require the property owners to meet the cost of planning the restrictions on the use of their lands? On the positive side, public policy calls for state and local support for the preservation of open space as well as the protection of timber, rangeland, and watershed resources, both of which programs typify the regional orientation and responsibility of the County Planning Department.

About 28% of the planning effort has been identified as County-wide. While the remainder is identified more directly with the activities in the unincorporated area, it does not follow, for the reasons cited above, that it is without tremendous importance to the cities. The allocation of the respective responsibility for the planning cost depends on one's perspective. Some of the alternatives are, in order of their impact on the taxpayers of the unincorporated area, as follows:

1. Allocate 72% of the cost, less revenues, to the unincorporated area.
2. Allocate a planning expense for the developed areas which corresponds with the per-capita expense to the taxpayers in adjacent incorporated areas; the remainder is a county-wide cost.
3. Allocate 50% of the total net cost.
4. Allocate 50% of the cost of planning activity conducted in the rural area.
5. Continue all planning activity as a county-wide expense.
6. Make the urban unincorporated areas incorporate.

A reasonable course of action would be to retain the status quo at least until there is some progress toward: 1) a means of identifying costs and impact of planning efforts; 2) a sphere of influence determination by the Local Agency Formation Commission; 3) Board policy as to county-wide vs. local planning interests; 4) fee schedules which more adequately cover costs of various activities (open space, environmental impact, rezoning, variances, etc.); 5) a realistic resolution of the annexation/incorporation issues; and 6) consolidation of certain regional and local planning activities.

Planning the proper use of all resources in the County is protection against normal, predictable, but personal and detrimental financial interests. Planning costs are greatest in transition lands, that is, lands in the path of urban development. To suggest that primarily or only those who own land in the unincorporated area should constantly shoulder the cost of the County's effort to contain the speculator, prevent blight, minimize the burden on the total community for providing transportation means, utilities, schools, etc. to unplanned developments and otherwise foster orderly development, is an unrealistic expectation.

The budget for the Planning Department, and one of cost breakdowns follows:

	<u>Budgeted</u>
	<u>1973-74</u>
Appropriation	\$ 542,888
Revenue	<u>44,050</u>
Net County Cost	<u>\$ 498,838</u>

Allocation of Cost:

County-wide (28%) \$ 152,009

Activity primarily in unincorporated

Area (72%) \$390,879

Less revenue 44,050

Net 346,829

Net County Cost \$ 498,838

BUILDING INSPECTION AND ZONING ENFORCEMENT

The Building Inspection Division of the Public Works Department has provided the following breakdown of its current-year budget.

Building Regulation	\$228,899
County Building Inspection	62,577
Zoning Enforcement	82,000
Housing Code Enforcement	<u>24,561</u>
Total	\$398,037

Offsetting the foregoing expenditures is an estimated \$300,150 in budgeted revenues. Because of the current-year drop in construction, the income from building permits and inspections will fall far short of the budgeted amounts. If this activity remain at a low level, expenditures^{therefor} will be reduced to bring them within the amount covered by the fees.

In order to place a figure on the possible "inequity", the cost of inspecting county buildings must be removed. The calculation on this basis shows:

Total Budget	\$398,037
Less County Building Inspection	<u>(-62,577)</u>
Unincorporated Area Expenditure	335,460
Less Revenues	<u>300,150</u>
Net "inequity"	\$ 35,310

Reference is made to the discussion of planning services to the unincorporated area. A similar question must be posed. Is it an ongoing responsibility of the residents of rural areas to pay the freight for services to the transition areas. especially those services, dedicated to either preparing the areas for annexation or protecting the quality of life in adjacent incorporated areas?

It is recommended that the Building Inspection Division net expenditures in the unincorporated area be considered as insignificant for the purposes of this study, but that as in all other such services the fee schedules should cover costs wherever possible, and that a more equitable distribution of the remaining costs should be attempted, as by including these as an obligation of the various communities. Sales tax support would be logical.

The levels of service are available and have been utilized as follows:

Full Service	Partial Service
- Emergency - Fire - Police - Sanitation - Public Works	- Police - Fire - Police - Fire - Police

Charges are assessed by each jurisdiction in accordance with their use of the services. The service level for the year 1973-74 is that which is recommended by the Joint Council on Intergovernmental Relations.

A discussion of the various services, together with information regarding a recent proposal for a county-wide service, is included in the attachment Appendix C. It will be noted in that document, that the participating agencies are expected to share the full cost of the program operation. However, portions of municipal services, non-emergency, possibly, will, have related some long-term in reducing this objective.

The suggested cost of initial control services for 1973-74 is \$110,000. It is estimated that this amount will be fully offset by revenues from other sources, such as license, and other fees. This is a considerable amount of revenue to generate in comparison with the amount of the budget. Most of the unincorporated services are provided from the sale of licenses.

ANIMAL CONTROL

Since 1967, animal control services have been maintained by the County for the unincorporated area and for nine cities through a joint exercise of powers agreement. This agreement provides for an advisory committee composed of the County Administrator and the City Managers from each of the participating cities. Two levels of service are available, and have been utilized as follows:

<u>Full Service</u> <u>(Field & Shelter Services)</u>	<u>Shelter Service Only</u>
Emeryville	Hayward
Fremont	Livermore
Piedmont	Newark
San Leandro	Pleasanton
Unincorporated Area	Union City

Charges are assessed to each jurisdiction in accordance with their use of the services. The service level for any given year is that which is recommended by the Animal Control Advisory Committee mentioned above.

A discussion of the present program, together with information regarding a recent proposal for a County-wide service, is included in the attachments (Appendix C). It will be noted in that document, that the participating agencies are expected to cover the full cost of the program's operation. However, problems of supplemental service, non-uniform procedures, etc., have created some hang-ups in realizing this objective.

The estimated cost of animal control services for 1973-74 is \$359,268. It is estimated that this amount will be fully offset by revenues from city contracts, sales of licenses, and shelter fees. This is a considerably more favorable relationship of revenues to expenditures than was anticipated in the budget. Much of the unanticipated increase has resulted from the sale of licenses.

The problem of strays in the sparsely populated areas is larger than can be handled as an obligation of the local populace. It should therefore be approached as a regional problem, in order to protect the highways and recreation areas from the hazards of such animals, whether alive or dead. The fact that the fees paid by local animal owners and by those receiving services in the contract cities cover the full cost of animal control services suggests that they are paying more than their share of the costs, and that part of these costs should be shifted back to the regional tax base.

APPENDIX A

County Service Area Law



C O U N T Y C O U N S E L

FOURTH FLOOR, ADMINISTRATION BUILDING 1221 OAK STREET
OAKLAND, CALIFORNIA 94612 - TELEPHONE 635-0700

RICHARD J. MOORE
COUNTY COUNSEL

March 27, 1973

The Honorable Fred F. Cooper
Supervisor of the County of Alameda
1221 Oak Street
Oakland, California 94612

Dear Supervisor Cooper:

RE: County Service Area Law

You requested our opinion concerning the steps a supervisor may take to cause the formation of a county service area for fire or police protection pursuant to the County Service Area Law.

Proceedings by the Board of Supervisors to form a county service area cannot be initiated until the approval of the LAFC is obtained upon application of a proponent. Government Code §§25210.3a, 25210.13. One supervisor may file an application with the commission and may request the assistance of the Public Works Department in its preparation. Government Code §54791.

After the LAFC approves the proposed service area, the Board of Supervisors must adopt a resolution of intent to establish a service area upon the request of two supervisors. Government Code §§25210.11, 25210.14.

If 50 per cent or more of the registered voters residing within the proposed service area or the owners of one-half or more of the value of land and improvements file written protests against the establishment of the area, the Board of Supervisors shall abandon the proposed service area. Government Code §25210.17a.

If there is no majority protest, the Board of Supervisors after hearing may establish the service area by resolution with or without confirmation election or abandon the proceedings on its own motion. If a confirmation election were not called by the Board of Supervisors, then the established service area is subject to referendum of the people. Government Code §§25210.18, 25210.18a, 25210.21.

However, if the Board of Supervisors abandons the proceedings on its own motion or as a result of a majority protest, the extended services (additional police and fire service necessitated by residential growth) shall not thereafter be provided to the area from the general fund. Government Code §25210.18.

The Honorable Fred F. Cooper
Page 2
March 27, 1973

Revenue and Taxation Code §2169(a) (SB 90) states that for any special district formed after the 1972-73 fiscal year, the property tax limit shall be established by a vote of the people. Accordingly, if the Board of Supervisors concludes hearings and establishes service areas by resolution prior to the end of the 1972-73 fiscal year, the Board of Supervisors may establish the tax rate for these newly formed service areas without a vote of the people. Government Code §25210.18. On the other hand, if a service area is formed after the end of this 1972-73 fiscal year, the initial property tax rate for the newly formed service area must be established by a vote of the people.

In conclusion, the foregoing is a brief analysis of the essential steps to create a county service area according to the County Service Area Law whose purpose is to provide extended services to growth areas and to make such areas pay for these services. Government Code §25210.1.

Very truly yours,

RICHARD J. MOORE
County Counsel

By 
BEN H. ZUPPAN
Deputy County Counsel

BHZ:a
cc: Roland Mayne



COUNTY COUNSEL

FOURTH FLOOR, ADMINISTRATION BUILDING 1221 OAK STREET
OAKLAND, CALIFORNIA 94612 • TELEPHONE 874-9300

RICHARD J. MOORE
COUNTY COUNSEL

6541

September 21, 1973

R. Moore
9/24
July 1974
WE

Honorable Fred F. Cooper
Alameda County Board of Supervisors
Administration Building
1221 Oak Street
Oakland, California 94612

Re: AB 2008

Dear Supervisor Cooper:

You have asked what procedures presently would have to be followed in transferring the present costs of Sheriff's patrol in the unincorporated area from the overall County tax rate to special service districts set up only in the unincorporated area.

AB 2008 repealed the maximum property tax rate provisions set forth in SB 90. However, Article 8 commencing with Section 2305 of the Revenue and Taxation Code, as added by AB 2008, deals specifically with the "functional consolidation: effect on maximum property tax rates." These provisions provide for the transfer, from one local agency to another, of both the responsibility for providing a program or a service in an area within the jurisdiction of the transferring agency and the responsibility for levying a property tax rate within such area to pay the costs of such service or program. Further, the tax rate of the transferring agency must be reduced to delete the rate necessary for providing the transferred services and the agency assuming the responsibility for the services can increase its maximum tax rate by an amount necessary to support the transferred service.

All other procedures, as outlined in our letters of March 27 and March 28, 1973, for establishing County Service Areas would remain the same.

Yours very truly,

RICHARD J. MOORE
County Counsel

By: Joseph P. Bingaman
Deputy County Counsel

JPB:hc
cc: County Administrator
Clerk of the Board of Supervisors
Each Board Member

MUNICIPAL SERVICES BY COUNTIES -- AB 2374

A. EXISTING STATUTORY PROVISIONS OF THE ESTABLISHMENT OF COUNTY SERVICE AREAS.

1. BACKGROUND OF ISSUE

COUNTY SERVICE AREAS MAY BE ESTABLISHED IN THE UNINCORPORATED AREAS OF THE COUNTY WHICH NEED "EXTRA" OR MORE EXTENSIVE URBAN SERVICES THAN THE REST OF THE COUNTY. COUNTY SERVICE AREAS PROVIDE A MEANS OF CHARGING THE RESIDENTS OF UNINCORPORATED AREAS FOR THE COSTS OF SUCH "EXTRA" SERVICES RATHER THAN PAYING FOR THEM OUT OF GENERAL COUNTY FUNDS.

CITIES HAVE RAISED THE ISSUE THAT SOME COUNTIES PROVIDE URBAN SERVICES TO UNINCORPORATED AREAS WITHOUT ESTABLISHING COUNTY SERVICE AREAS OR OTHERWISE CHARGING THE "EXTRA" SERVICES TO THOSE RECEIVING THEM. IF SUCH ALLEGATIONS WERE TRUE, CITY RESIDENTS WOULD IN FACT BE SUBSIDIZING THESE COUNTY SERVICES TO UNINCORPORATED AREAS (OUT OF THE GENERAL COUNTY TAXES PAID BY SUCH RESIDENTS).

2. EXISTING PROCEDURES

THE 1972 SESSION OF THE LEGISLATURE, PROVIDED THE FOLLOWING PROCEDURES FOR RESOLVING THIS ISSUE:

- A) PERMITS CITIES TO INITIATE THE FORMATION OF COUNTY SERVICE AREAS (HERETOFORE ONLY BOARDS OF SUPERVISORS OR RESIDENTS OF UNINCORPORATED AREAS COULD INITIATE SUCH PROCEEDINGS.

- b) LAFCo HEARINGS ARE HELD TO DETERMINE IF, IN ITS JUDGMENT, A COUNTY IS PROVIDING "EXTRA" SERVICES TO AN AREA WITHOUT CHARGE, AND THUS A COUNTY SERVICE AREA NEEDS TO BE FORMED.
- c) UPON COMPLETION OF LAFC PROCEEDINGS, THE BOARD OF SUPERVISORS IS REQUIRED TO HOLD A PUBLIC HEARING ON THE QUESTION OF WHETHER "EXTRA" COUNTY SERVICES ARE BEING PROVIDED TO UNINCORPORATED AREAS. IF THE BOARD OF SUPERVISORS FINDS THAT SUCH SERVICES ARE BEING PROVIDED, THE LAW REQUIRES THEM TO TAKE EITHER OF THE FOLLOWING ACTIONS:
- 1) TO FORM A COUNTY SERVICE AREA TO FINANCE THESE SERVICES
 - 2) TO DISCONTINUE THE EXTRA SERVICES.

3. EXEMPTION FROM EXISTING STATUTES

THE 1972 LEGISLATION SPECIFICALLY EXEMPTED LOS ANGELES COUNTY FROM THESE PROVISIONS.

LEGISLATION TO ELIMINATE THIS EXEMPTION WAS APPROVED BY THE LEGISLATURE EARLIER THIS SESSION, AB 1707 (BERMAN). THE BILL DID NOT CHANGE ANY OF THE PROVISIONS ESTABLISHED BY THE 1972 LEGISLATION. THIS ATTEMPT TO CLOSE THE LOOPHOLE WHICH ALLOWED LOS ANGELES COUNTY TO ESCAPE THE REQUIREMENTS APPLICABLE TO ALL OTHER COUNTIES WAS VETOED BY THE GOVERNOR.

C. PROPOSED LEGISLATION

AB 2374 (WARREN) OFFERS ANOTHER SOLUTION TO THE ABOVE-DESCRIBED ALLEGATIONS.

WHEREAS PRECEEDING ATTEMPTS TO SETTLE THIS ISSUE HAVE TAKEN THE APPROACH OF AMENDING THE COUNTY SERVICE AREA LAW, AB 2374 PROPOSES TO ADD ITS PROVISIONS TO THE GENERAL POWERS OF COUNTY BOARDS OF SUPERVISORS (TITLE 3, DIVISION 2, CHAPTER 2)

AB 2374 WOULD REQUIRE COUNTIES TO FORM COUNTY SERVICE AREAS OR OTHER SPECIAL PURPOSE COUNTY DISTRICTS TO PERFORM ANY SERVICES IT DOES NOT PROVIDE ON A UNIFORM BASIS COUNTY WIDE--I.E. WITHIN CITIES AS WELL AS WITHIN THE UNINCORPORATED AREA.

D. DIFFERENCES BETWEEN EXISTING STATUTES AND AB 2374

UNDER EXISTING LAW, SEVERAL TYPES OF DISTRICTS MAY BE FORMED AND RUN BY A COUNTY FOR PURPOSES OF PROVIDING SPECIFIC SERVICES--VIZ. COUNTY SANITATION DISTRICTS, COUNTY FIRE DISTRICTS, ETC. PAST LEGISLATIVE ATTEMPTS TO RESOLVE THESE ABOVE-DISCUSSED ALLEGATIONS HAVE REQUIRED THE ESTABLISHMENT OF COUNTY SERVICE AREAS, WHICH MAY HAVE HAD THE EFFECT OF PRECLUDING THE FORMATION OR OPERATION OF SPECIAL PURPOSE COUNTY DISTRICTS. IN ADDITION TO ESTABLISHING COUNTY SERVICE AREAS, AB 2374 INCLUDES THE OPTION OF ESTABLISHING OTHER SPECIAL COUNTY DISTRICTS, AS A MEANS OF FINANCING URBAN SERVICES IN THE AFFECTED COUNTY AREAS.

HOWEVER, AB 2374 DOES NOT INCLUDE ANY OF THE FOLLOWING PROVISIONS FOR ESTABLISHING SPECIAL COUNTY DISTRICTS AS ARE PROVIDED BY STATUTE FOR ESTABLISHING COUNTY SERVICE AREAS.

1. CITY INITIATION

UNDER EXISTING LAW CITIES ARE GUARANTEED THE RIGHT TO INITIATE THE FORMATION OF A COUNTY SERVICE AREA, WHEN THEY DETERMINE THAT "EXTRA" SERVICES ARE BEING PROVIDED. HOWEVER, AB 2374 DOES NOT GRANT CITIES ANY POWER TO INITIATE THE FORMATION OF SPECIAL COUNTY DISTRICTS. BECAUSE THE BILL FAILS TO PROVIDE CITIES WITH INITIATION POWERS, CITIES WOULD BE FORCED TO DEPEND ON THE BOARD OF SUPERVISORS TO INITIATE ESTABLISHMENT PROCEEDINGS.

2. DETERMINATION OF PROVISION OF SERVICES

THERE IS NO PROCEDURE INCLUDED IN THE BILL (I.E. MANDATORY HEARINGS BY THE BOARD OF SUPERVISORS) TO FORCE A DETERMINATION IF A COUNTY IS OR IS NOT PROVIDING AN "EXTRA" SERVICE. THUS, IF A CITY CONTENDS THAT THE COUNTY IS PROVIDING "EXTRA" SERVICES IN THE UNINCORPORATED AREA, JUDICIAL ACTION IS THE ONLY AVAILABLE MEANS OF RESOLVING THE ISSUE.

THUS, THE DIFFICULTIES INHERENT IN IMPLEMENTING THIS PROPOSED GENERAL STATEMENT OF POLICY, LACKING IN PROCEDURES, MAY PRECLUDE THE FORMATION OF SPECIAL PURPOSE COUNTY DISTRICTS TO RESOLVE CITY-COUNTY DEBATES.

THE STATEWIDE APPLICABILITY OF THIS BILL'S PROVISIONS DOES NOT SUPERSEDE LA COUNTY'S EXEMPTION FROM THE REQUIREMENTS OF FORMING A COUNTY SERVICE AREA TO PROVIDE "EXTRA" SERVICES, AS FOUND IN THE COUNTY SERVICE AREA LAW.

E. ISSUES FOR DISCUSSION AT COMMITTEE HEARING

1. WHILE THE PROVISIONS OF THIS BILL APPLY TO ALL COUNTIES, THE EXEMPTION OF LOS ANGELES COUNTY WOULD NOT BE AMENDED OUT OF THE COUNTY SERVICE AREA LAW. IS THIS NEW SECTION INTENDED TO SUPERSEDE THE EXISTING PROVISIONS OF THE COUNTY SERVICE AREA LAW?
2. THE BILL PROPOSED A GENERAL POLICY STATEMENT BUT DOES NOT PROVIDE ANY IMPLEMENTARY PROCEDURES. HOW WILL COUNTIES DETERMINE IF THEY ARE IN FACT PROVIDING "EXTRA" SERVICES IN THE UNINCORPORATED AREA?
3. THIS BILL MAKES AN APPROPRIATION FOR REIMBURSING LOCAL AGENCIES FOR THE COSTS OF IMPLEMENTING THIS CUT. SINCE NO PROCEDURES ARE PROVIDED, WOULD COURT LITIGATIONS BROUGHT AGAINST A COUNTY, AS A MEANS OF DETERMINING IF "EXTRA" SERVICES ARE BEING PROVIDED, BE CONSIDERED A COST OF IMPLEMENTING THE ACT?

MANDATORY LAFC REPRESENTATION FOR THE CITY OF LOS ANGELES

A. CURRENT PROVISIONS

EXISTING PROVISIONS OF THE KNOX-NISBET ACT FIX THE MEMBERSHIP OF LOCAL AGENCY FORMATION COMMISSION AT FIVE MEMBERS SELECTED AS FOLLOWS:

1. TWO REPRESENTING THE COUNTY, APPOINTED BY THE BOARD OF SUPERVISORS FROM THEIR OWN MEMBERS.
2. TWO REPRESENTING THE CITIES IN THE COUNTY, EACH OF WHOM SHALL BE A CITY OFFICER, APPOINTED BY THE CITY SELECTION COMMITTEE.

EACH COUNTY CONTAINING TWO OR MORE CITIES SHALL HAVE A CITY SELECTION COMMITTEE CONSISTING OF THE MAYOR OF EACH CITY WITHIN SUCH COUNTY, OR, WHERE THERE IS NO MAYOR, THE CHAIRMAN OR PRESIDENT OF THE CITY LEGISLATIVE BODY.

3. ONE REPRESENTING THE GENERAL PUBLIC APPOINTED BY THE OTHER FOUR MEMBERS OF THE COMMISSION.

IN ADDITION, AT LAFC DISCRETION, TWO SPECIAL DISTRICT REPRESENTATIVES MAY ALSO BE INCLUDED ON THE COMMISSION.

B. PREVIOUS PROPOSALS

DURING THE 1972 SESSION, AB 1624 (WARREN) WAS INTRODUCED PROVIDING A SPECIAL SYSTEM OF LAFC MEMBERSHIP APPLICABLE ONLY TO LOS ANGELES COUNTY.

THE MEMBERSHIP PROPOSAL WOULD GUARANTEE THE CITY OF LOS ANGELES A PERMANENT SEAT ON THE LOS ANGELES LAFC. UNDER THIS SYSTEM LOS ANGELES LAFC WOULD HAVE THE FOLLOWING NINE MEMBERS:

1. THREE COUNTY SUPERVISORS
2. TWO CITY COUNCILMEN REPRESENTING ALL OF THE CITIES-- EXCEPT LOS ANGELES
3. ONE CITY OFFI-ER FROM THE CITY OF LOS ANGELES
4. THREE PUBLIC MEMBERS APPOINTED BY THE INITIAL SIX MEMBERS.

NO ACTION WAS TAKEN ON THE BILL AFTER DECEMBER 1, 1972.

C. CURRENT STATUS OF ISSUE

WHILE NO LEGISLATION HAS BEEN INTRODUCED DURING THE CURRENT SESSION, PERMANENT REPRESENTATION OF THE CITY OF LOS ANGELES ON LAFC IS AN ISSUE OF CONCERN TO BOTH THE CITY OF LOS ANGELES AND THE COUNTY LAFC.

BY VIRTUE OF ITS POPULATION, IT IS ARGUED THAT THE CITY OF LOS ANGELES REPRESENTS A FAR GREATER PROPORTION OF THE COUNTY'S POPULATION THAN ANY OTHER CITY IN THE COUNTY. THUS, IT IS BELIEVED THAT THE CITY OF LOS ANGELES SHOULD BE ASSURED OF REPRESENTATION ON LAFCO AND SHOULD NOT LEAVE ITS MEMBERSHIP AT THE DISCRETION OF THE CITY SELECTION COMMITTEE.

HOWEVER, NO CONSIDERATION IS GIVEN TO THE LIMITED INVOLVEMENT THE CITY OF LOS ANGELES HAS IN LAFC PROCEEDINGS. AS A CITY WHICH IS UNLIKELY TO ANNEX NEW TERRITORY OR BE ACTIVE IN DISTRICT FORMATIONS,

IT IS NOT NEARLY AS INVOLVED WITH LAFC AS OTHER CITIES WHICH MAY BE, HOWEVER, MUCH SMALLER IN TERMS OF BOTH AREA AND POPULATION.

D. ISSUES FOR DISCUSSION AT COMMITTEE HEARING

1. THE REQUESTS OF THE CITY OF LOS ANGELES FOR PERMANENT LAFC REPRESENTATION ARE BASED ON THE CITY'S SIZE AND POPULATION, WHICH MAKE IT THE DOMINANT CITY IN LOS ANGELES COUNTY. WOULD THE APPROVAL OF SUCH A PROPOSAL SET A PRECEDENT FOR OTHER LARGE CITIES TO CLAIM THE RIGHT TO PERMANENT REPRESENTATION?
2. ARE SIZE AND POPULATION VALID CRITERIA ON WHICH TO BASE THE NEED FOR ON-GOING REPRESENTATION BY A PARTICULAR CITY ON LAFC? OR, SHOULD THE NUMBER OF PROPOSALS BEFORE LAFC AFFECTING A PARTICULAR CITY BE GIVEN GREATER CONSIDERATION IN DETERMINING LAFC MEMBERSHIP?

APPENDIX B

Fire Protection

TAX LEVIES FOR UNINCORPORATED AREA

FIRE PROTECTION

Fire Districts and Service Areas

	<u>Tax Rate 1973/74</u>
Ashland	.86
Castro Valley	.79
Castro Valley - Zone 1	.33
Cherryland	.84
Decoto	.39
Fairview	1.07
Redwood	.39
Tennyson	.31

County Service Areas⁽¹⁾

F-1964-1	(Rennen Tract)	.44
F-1965-1	(Castlewood)	.44
F-1965-2	(Happy Valley)	.44
F-1965-3	(Stanley Blvd.)	.44
F-1965-3	(San Lorenzo Village)	.78

Community Services Districts

Valley Community Svcs. Dist. (.992)⁽²⁾

Unincorporated Area Not Receiving District Protection

Tax rate equivalent ⁽³⁾	.009
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- (1) The 4 service areas near Pleasanton contract for fire protection with that city. A property tax rate of \$.44 is imposed for that service.
- (2) The cost of fire protection has not been segregated. Besides fire protection, the primary services are: sewer and water service, and recreation. The district's tax rate is \$.992.
- (3) This is the County-wide tax rate equivalent; it raises \$280,137, which is the County Fire Service budget. County-wide overhead is not included in this figure.

FINANCING OF FIRE PROTECTION BY CALIFORNIA COUNTIES

Listing of counties by method of financing and by type of fire protection service.

Financed with County General Funds		Financed by other than County General Funds (i.e. special levy, except as shown)
Structural protection and other services	Non-structural protection and/or other services (2)	
Alameda Alpine Alameda Imperial Kings Los Angeles Mendocino Merced Placer San Benito San Francisco San Luis Obispo San Mateo Santa Stanislaus Tehama Yuba	Humboldt (a) Orange (b) Riverside (c) San Bernardino (c) Santa Clara (d) Santa Cruz (e) Solano (f) Sonoma (f) Sutter (d)	Butte (3) Calaveras Colusa Contra Costa Del Norte El Dorado Fresno Glenn Inyo Kern Lake Lassen Marin (4) Modoc Mono Monterey Napa (4) Nevada Plumas Sacramento San Diego (5) San Joaquin Santa Barbara Sierra Siskiyou Trinity Tulare Ventura Yolo Yuba

- Notes: (1) All volunteer personnel
 (2) Non-structural protection and other services are identified in the various counties as follows:
 a) Office and clerical support; b) fire prevention, dispatch service, watershed supplementary; c) watershed; d) prevention;
 e) non-structural; f) dispatch.
 (3) Sales tax (general fund support if additional revenue is required)
 (4) In Marin and Napa Counties, excess expenses become a general fund obligation.
 (5) De facto county service area (GC 25643)

ASSESSED VALUE OF PROPERTY IN
UNINCORPORATED AREA OUTSIDE OF FIRE PROTECTION DISTRICTS⁽¹⁾

Tax Code Areas (Unincorporated)⁽²⁾ Assessed Value (1973)

Eden Township

Castro Valley	\$ 3,710,397
Hayward	5,787,142
San Leandro	65,320
San Lorenzo	450,562

Livermore-Mountain House

Livermore	28,637,012
Mountain House	5,873,271

Pleasanton-Dublin

Murray	2,538,813
Pleasanton	7,808,297

Sunol

Sunol	15,508,348
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Washington Township

Newark	<u>450,560</u>
Total assessed value	\$ 71,049,523
Property in Fire Protection Districts	<u>311,886,285</u>
Total Unincorporated Area	\$382,935,808

(1) Fire Protection Districts, County Fire Service Area, and Valley Community Service Area.

(2) Grouped by planning areas.

CITY OF LIVERMORE
INTEROFFICE MEMORANDUM

DATE: December 26, 1972

TO: Mr. William Parness, City Manager

FROM: Fire Chief

SUBJECT: FIRE PROTECTION - MURRAY TOWNSHIP

As directed by your office, a feasibility study has been completed regarding the assumption of Murray Township fire protection by the City of Livermore. Such a consideration on the part of the county administration to get out of the fire protection business is not new. Studies dating back to 1966 have been conducted resulting in variable changes in their roll.

The most significant change was the closing of two (2) county fire sub-stations; one in the Hayward area, the other at Sunol; such were replaced through a contractual agreement with the California Division of Forestry to protect all rural areas west of the Murray Township boundary. The agreement basically involved the county affording California Division of Forestry a pumper and funds to maintain two (2) men on duty throughout the year. It has been reported that such annual payment approximates \$67,000.00.

The Murray Township, under consideration in this study, is located in the easterly portion of Alameda County covering an area approximating 255 square miles representing nearly one-quarter of total county land mass.

Jurisdictional fire protection entities within the area are:

ENTITY	RESPONSIBLE AREA IN SQUARE MILES
City of Livermore	13
Lawrence Livermore Laboratory	1
Veteran's Hospital	1
County Fire Patrol	<u>240</u>
TOTAL	255 square miles

The area is generally agriculture in character with several residential population centers forming in the vicinity of Tesla Road, Mines Road, Buena Vista, Arroyo Road, Marina Avenue, Murdell Lane, South Front Road and Lomitas Avenue.

The character of developments involves several hundred residences on the valley floor ranging in size from a single residential unit to large ranch

complexes.

Other development involves three major winery facilities, two flammable bulk plants, several light industrial or commercial occupancies as well as a few schools and churches.

The entire area is known for its hot, dry summers and history has recorded the seriousness of recurring range land fires of considerable magnitude.

The fire potential of the area has been aggravated by continued development of unprotected residential complexes in rural areas exposed to large area natural cover fire threats. Currently the rural areas of the Township are protected by the Alameda County Fire Patrol from its facility located on College Avenue within the City of Livermore. It is supported financially through the County general fund.

Composition of the County Fire Patrol is as follows:

I PERSONNEL:

- 1 Chief
- 2 Captains
- 10 Fire fighters
- 13 TOTAL

Twelve of the thirteen employees are assigned to a fifty-six (56) hour schedule which allows four (4) men on duty, not considering vacation and/or sick leave. Current personnel statistics may be noted on the following chart:

ALAMEDA COUNTY FIRE PATROL
PERSONNEL

RANK	NAME	AGE	EMP. DATE	YEARS	PAY	ANNUAL SALARY
Chief	Elmer Raphael	41	8/29/55	17	\$1,071	\$12,852
Captain	Don Uliana	40	5/1/64	8	963	11,556
Captain	Aaron Rasmussen	41	4/26/58	14	963	11,556
Deputy	John Corrigan	25	7/1/67	5	786	9,432
Deputy	Clyde Lindberg	29	10/16/67	5	786	9,432
Deputy	George Silva	31	7/1/68	4	786	9,432
Deputy	William Brittain	28	2/19/69	3	786	9,432
Deputy	Jerry Morgan	25	11/23/70	1	714	8,568
Deputy	William Moore	27	7/17/71	1	714	8,568
Deputy	Gary Hendel	21	11/1/71	8 mo.	680	8,160
Deputy	Don Staysa	25	11/15/71	8 mo.	680	8,160
Deputy	Joe Spruiell	31	2/14/71	5 mo.	647	7,764
Deputy	William Larimer	25	9/15/64	8	786	<u>9,432</u>

TOTAL WAGES

\$124,344

In-service fire apparatus is as follows:

II APPARATUS

F.D. IDENTITY	COUNTY I.D.	MAKE	TYPE	PUMP CAPACITY	TANK CAPACITY	YEAR
*7-E-1	L001	Int.	Pumper	1000	1000	1971
*7-S-3	L016	Dodge	Squad	40	200	1965
*7-S-6	L002	Dodge	Squad	40	200	1964
*7-J-1	E071	Chev.	Pickup	15	75	1969
*7-C-1	A495	Ply.	Car	--	--	1970
7-J-2	L011	GMC	Pickup	40	150	1959
7-E-2	L004	GMC	Pumper	1000	500	1954

*Indicates the units that would most probably be transferred to the City in the event of consolidation of the two departments.

III The response load to which the County Fire Patrol was subjected during 1971 may be noted as follows:

1 9 7 1							
ALAMEDA COUNTY FIRE PATROL EMERGENCY RESPONSE ANALYSIS							
	AUTO	GRASS	STRUCTURE	FALSE	FIRST AID	OTHER	TOTAL
JANUARY	4	-	-	4	-	2	10
FEBRUARY	2	-	2	1	-	3	8
MARCH	4	3	1	1	1	-	10
APRIL	5	6	1	-	1	1	14
MAY	4	4	1	-	3	4	16
JUNE	5	16	4	7	1	2	35
JULY	4	39	-	6	-	2	51
AUGUST	4	25	2	5	-	2	38
SEPTEMBER	5	23	3	6	-	8	45
OCTOBER	5	18	2	6	3	4	38
NOVEMBER	4	13	2	9	1	1	30
DECEMBER	4	4	2	5	1	4	20
T O T A L S	50	151	20	50	11	33	315

It must be added, however, that the California Division of Forestry assists in the protection of the Township from its stations located at: Sunol, Corral Hollow and Contra Costa County.

California Division of Forestry's primary obligation is the protection of 300,000 acres of state responsibility land located within Alameda County; one-half of which is within the Murray Township. Such state protection is available on around the clock basis only during the summer fire seasons.

During the summer fire season, however, it must also be noted that California Division of Forestry forces are frequently committed to fires in adjacent counties during which time significant state support on local fires is not immediately available, leaving the full protection burden on the Alameda County Fire Patrol and its local mutual aid resources.

Due to responding distances and time lapse factors from the above-noted locations, California Division of Forestry protection of structures and even natural cover fires in built up areas is of little value in the initial stages of many fire incidents. However, their overall beneficial affect on the Township during large fires and those in remote hill and mountainous areas cannot be over emphasized.

IV CONSOLIDATION ANALYSIS CRITERIA

1. RESPONSE

The following chart illustrates the combined response load of the two departments during 1971:

TYPE	CITY	COUNTY	TOTAL
Auto	60	50	110
Grass	81	151	232
Structure	165	20	185
First Aid/Rescue	86	11	97
Other	322	83	405
TOTAL	714	315	1029

It is anticipated that both entities shall experience more frequent emergency responses with continued population increases.

2A PERSONNEL

It is assumed that county employees would be integrated into our personnel system provided they meet physical standards. If that be the case, the following comparative chart would represent the salary conversion from county to city operation.

Tentative salary steps selected are our municipal first step or in some cases one that precludes a reduction in wage for any county employee. An exception to this would be for their Chief, who if integrated into our operations should receive a Battalion Chief rank as to allow us to take advantage of his rural fire protection experience. The chart also notes the highest salary ranges that would prevail after three years employment with the municipality.

SALARY CONVERSION
COUNTY EMPLOYEES

NAME	CURRENT UNDER COUNTY OPERATION		UNDER CITY OPERATION - 1st YR.		*TOP STEP AFTER THREE YEARS CITY EMPLOYMENT
	MONTHLY	ANNUALLY	MONTHLY	ANNUALLY	
Raphael	\$1,071	\$12,852	\$1,123	\$13,476	\$16,392
Uliana	963	11,556	1,014	12,168	12,168
Rasmussen	963	11,556	1,014	12,168	12,168
Corrigan	786	9,432	834	10,008	12,168
Lindberg	786	9,432	834	10,008	12,168
Silva	786	9,432	834	10,008	12,168
Brittain	786	9,432	834	10,008	12,168
Morgan	714	8,568	834	10,008	12,168
Moore	714	8,568	834	10,008	12,168
Hendel	680	8,160	834	10,008	12,168
Staysa	680	8,160	834	10,008	12,168
Spruiell	647	7,764	834	10,008	12,168
Larimer	786	9,432	834	10,008	12,168

TOTAL BASIC
SALARY

\$124,344.00

\$137,892.00

\$162,408.00

*Does not include potential cost of living adjustments that may occur.

2B To be considered in addition to the aforementioned personnel salary costs is that of fringe benefits as follows:

NAME	SALARY 1st YEAR	RETIREMENT	HOLIDAY IN LIEU	BLUE CROSS EMPLOYEE	BLUE CROSS FAMILY	UNIFORM	LIFE INSURANCE	TOTAL F.B.
Raphael	\$13,476	\$1,203.67	\$570.24	\$228	\$120	\$120	\$6.24	\$2,248.15
Uliana	12,168	1,086.85	514.80	228	120	120	6.24	2,075.89
Rasmussen	12,168	1,086.85	514.80	228	120	120	6.24	2,075.89
Corrigan	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Lindberg	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Silva	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Brittain	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Morgan	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Moore	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Hendel	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Staysa	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Spruiell	10,008	893.91	423.39	228	120	120	6.24	1,791.54
Larimer	10,008	893.91	423.39	228	120	120	6.24	1,791.54
13	<u>\$137,892</u>	<u>\$12,316.47</u>	<u>\$5,833.74</u>	<u>\$2,964</u>	<u>\$1,560</u>	<u>\$1,560</u>	<u>\$81.12</u>	<u>\$24,315.33</u>

*Not included as a fringe benefit, but rather a supportive personnel cost is the required compensation insurance which represents:

\$7,211.44 the first year and increasing to
\$8,493.93 after the third year of employment

3 VEHICLE MAINTENANCE (1971 Experience)

UNIT IDENTITY	GALLONS GASOLINE	QUARTS OIL	COST
7-E-1	884.7	5	\$ 888.31
7-S-3	1482	56	2,283.77
7-S-6	1272.9	45	2,639.09
7-J-1	1093.3	36	792.37
7-C-1	1598	50	1,403.04
TOTAL	<u>6330.9</u>	<u>192</u>	<u>\$8,006.58</u>

4 MISCELLANEOUS COSTS ESTIMATED

A. Radio maintenance	\$1,500.00
B. Telephone	700.00
*C. Alarm conversion	900.00
D. Station maintenance and supply	500.00
*E. Personnel safety gear	<u>2,000.00</u>
TOTAL	\$5,600.00

5 COST SUMMARY

A. Salary	\$137,892.00
B. Fringe benefit	24,315.00
C. Compensation insurance	7,211.00
D. Apparatus maintenance	8,006.00
E. Miscellaneous costs	<u>5,600.00</u>
TOTAL	\$183,024.00

As would be expected, this study revealed both favorable and unfavorable features as relating to the feasibility of the City of Livermore assuming the responsibility of Murray Township fire protection.

FAVORABLE FEATURES (TO THE CITY OF LIVERMORE)

A. Evaluation of the afore-noted county emergency response chart reveals that much of the time, particularly during winter months, their personnel

would be available for municipal fire protection purposes and other supportive fire protection functions.

- B. Would eliminate duplication of responses to common interest emergencies occurring on our fifty mile municipal perimeter.
- C. Improved dual employment of variable types of equipment could ultimately eliminate duplication resulting in dollar savings.
- D. May compliment municipal planning by affording fire prevention control in all areas of development within the range of future annexations.
- E. The area-wide protection concept would be favorable in the future location and use of fire station sites, meeting long range needs for both entities.
- F. Compliments the concept of valley-wide consolidation of fire services or portions thereof.
- G. The proposal, if adequately supported by the county, would not be an additional burden on the city resources than normally prevails at this time through our mutual assistance program wherein we currently support their operations on major structure and natural cover fires.
- H. The close cooperation of the two departments as experienced over the years would result in minimal problems should consolidation occur.
- I. California Division of Forestry would retain an obligation to their state responsible lands outside of city limits.
- J. The city would acquire fire apparatus and station facility that could compliment its operation.

FAVORABLE FEATURES (ALAMEDA COUNTY)

- A. Elimination of administrative cost for operation of a major county function.
- B. Such consolidation will probably lead to the establishment of a special fire service area wherein financial support may be acquired thus reducing the burden on the county general fund in years to come.
- C. Establishment of a balanced fire protection capability considering all potential incidents to the benefit of rural residents.
- D. Improved fire protection coverage to certain rural areas by utilization of municipal fire stations, personnel and equipment.

E. Improved and dependable dispatch system. Currently during emergencies, the sheriff's office is utilized to cover emergency telephones and radio operations for the County Fire Patrol. The dependableness of such practice as experienced in the past is not consistent due to a variety of reasons.

F. Improved rural insurance classification may be possible with certain improvements for unprotected areas.

Up to 5 mile response - Class 8

Up to 10 mile response - 9B structure and crop protection Class I

Such must be verified by the I. S. O. and, of course, would be contingent upon certain improvements.

UNFAVORABLE FEATURES (TO THE CITY OF LIVERMORE)

A. In reference to the combined response chart, it must be recognized that many of the incidents may occur simultaneously, thus minimizing the benefit of county support on local fire protection.

B. Of the 315 calls to which the county responded, an estimated (198) required two apparatus and their four men initially at which time they would not be available for local fire response assignment.

C. Considerable overtime pay would be anticipated on some fires when considering geographic locations and impracticality of relieving men on certain incidents.

D. The added emergency alarms would be an estimated 40% increase in emergency work load for the police/fire dispatcher.

E. The rural areas of Murray Township encompass remote rugged mountain ranges that would require specialized training of all departmental personnel. Though the California Division of Forestry would meet its obligation, the County of Alameda should or in this case, the City of Livermore should have response capability equal to at least that which exists today.

UNFAVORABLE FEATURES (ALAMEDA COUNTY)

From the standpoint of the Alameda County administration, there are no particular adverse features other than:

A. This community through its fire department would have control of fire protection and a stronger roll in fire prevention standards and policies in their otherwise governed rural area.

B. Increased costs as noted previously in this report.

It is quite obvious that the County of Alameda is quite strongly considering alternate methods of fire protection for the rural areas. Such observation is evident in view of their agreement in recent years with the California Division of Forestry involving the Pleasanton Township and areas west, as well as their current request for consideration to both the City of Livermore and the Division of Forestry.

It is of utmost importance that the county during their search for alternate methods of protection, realize that the general needs for fire protection of rural areas are increasing due to their continued growth. Consideration to the best interest of rural residents would indicate that levels of fire protection should, not under any condition, be reduced below its current level and that consideration should be given to needed improvements to overcome the decline of on-duty manpower that has occurred during the past few years.

Development of rural areas without fire protection improvements commensurate to the added fire potential may add a needless threat to life and property as well as undue burden and exposure threat to neighboring entities and mutual aid resources.

Reasoning indicates that natural cover and water shed protection of an area as vast as the Murray Township is of a common interest and obligation to all residents of Alameda County. However, the matter of structural protection is perhaps that of individual benefit and responsibility. Therefore, future consideration in the establishment of a fire service area to supplementary support the various alternates and improvement in fire protection of the rural areas would not appear to be unreasonable. It is hoped that the counties pursuit of improved or alternate methods of protection will involve the following considerations:

I COUNTY FIRE PATROL

Continue the operation of the County Fire Patrol making necessary improvements in their on-duty manning and equipment to assure reasonable initial response capability to fires and other emergencies in their area.

The addition of one man on duty and the adding of a 3,000 gallon tanker could quite possibly qualify rural residents within a five mile response for a reduction in insurance class from their current 10 to a Class 8.

Investigation into the matter perhaps will reveal that insurance savings available may, to a reasonable degree, offset charges that could be involved, should a fire service area be established.

II CITY OF LIVERMORE

Consideration of this city assuming fire protection responsibility of the Township is not impractical, provided the county administration recognizes

the need for certain levels of protection and would agree to afford funds to accomplish it. Should such levels of protection be agreed to and financed along with continued fulfillment of obligations by the California Division of Forestry, Livermore would not be subjected to less protection than currently enjoyed. In fact, there could be a general improvement in overall operations when considering the added manpower and equipment that would at times be available for local emergencies.

In the event the city entered an agreement with the county, a response assignment similar to that illustrated below should be created specifically outlining municipal limits of responsibility to rural areas.

TYPE OF EMERGENCY	ALARM	ASSIGNED MEN	ASSIGNED APPARATUS
Grass	Initial	4 men (county)	A) 2 - grass rigs (county) B) C.D.F. units
	2nd alarm	2 men (city)	1 grass rig or tanker
	3rd alarm	-----	Twin Valley task force 1 and/or 2
Structure	Initial	4 men (county)	A) 2 pumpers B) C.D.F. summer season
	2nd alarm	2 men (city) 1 man (city)	A) pumper (1) B) tanker (1)
	3rd alarm	-----	Twin Valley A) tanker force B) Twin Valley mutual aid 2nd alarm assignment

Such response assignments as outlined above would be no increase over that which is currently experienced through the mutual aid program.

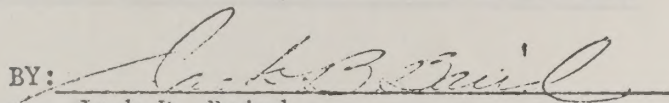
III VALLEY WIDE FIRE SERVICE CONSOLIDATION

The importance of rural fire protection and its effect on the entire valley is such that the County Fire Patrol should be included in the forthcoming feasibility study.

In view of the importance of long range planning, it is suggested that the county be urged to participate in our joint study on the feasibility of valley fire department consolidation.

RECOMMENDATION:

It is further recommended that county action regarding alternate means of fire protection be held in abeyance pending receipt and analysis of such study.

BY: 

Jack B. Baird
Fire Chief

DATE: December 26, 1972

/aml

SEP 25 1973

FA/CA

IMAGE

Approved as to Form

RICHARD J. MOORE, County Counsel

By BZ Deputy

THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA, STATE OF CALIFORNIA

motion of Supervisor....., Seconded by Supervisor.....
approved by the following vote,
: Supervisors.....
: Supervisors.....
sed or Absent: Supervisors.....

FOLLOWING RESOLUTION WAS ADOPTED:

NUMBER 150479

RESOLUTION OF APPLICATION TO LOCAL AGENCY FORMATION COMMISSION

WHEREAS, this Board of Supervisors recognizes the need of certain areas of the County of Alameda for adequate fire protection services and for a reasonable method of financing them, i.e. a county service area; and

WHEREAS, no proceedings to create a county service area for the purpose of fire protection shall be instituted until the approval of the Local Agency Formation Commission is first obtained;

NOW, THEREFORE, BE IT RESOLVED that this Board of Supervisors hereby applies to the Local Agency Formation Commission of the County of Alameda for its approval of this application to create a county service area for the purpose of fire protection pursuant to the County Service Area Law, commencing with Government Code Section 25210.1, within the whole of the unincorporated area of the County of Alameda, excluding therefrom all existing districts and county service areas formed for the purpose of fire protection services.

I CERTIFY THAT THE FOREGOING IS A CORRECT COPY OF A RESOLUTION ADOPTED BY THE BOARD OF SUPERVISORS ALAMEDA

COUNTY, CALIFORNIA, SEP 25 1973

ATTEST: OCT 17 1973

JACK R. HOLL, CLERK OF THE BOARD OF SUPERVISORS

BY: K. G. [Signature]



This is conulated copy,
COUNTY COUNSEL
FOURTH FLOOR, ADMINISTRATION BUILDING-1221 OAK STREET
OAKLAND, CALIFORNIA 94612 • TELEPHONE 835-0700

RICHARD J. MOORE
COUNTY COUNSEL

October 11, 1973

182

The Honorable Board of Supervisors
County of Alameda
1221 Oak Street
Oakland, CA 94612

Gentlemen:

RE: Fire Protection in Unincorporated Territory

You requested our opinion regarding the various ways to create special taxing districts to finance fire protection within the unincorporated area of the County. We will focus primarily upon the county service area, the fire protection district, the community services district, and the so-called "de facto district."

County Service Area

A service area, multipurpose in nature and whose affairs are governed by the Board of Supervisors, may be formed pursuant to the County Service Area Law, commencing with Government Code Section 25210.1, to provide "structural fire protection" (defined as protection against all fires except those protected against pursuant to Government Code Section 25642) to all or parts whether contiguous or noncontiguous, of the unincorporated territory. Special zones with tax rates varying with the extent of benefits derived from the service to a zone may be created within a service area.

Regarding its formation, the Board of Supervisors submits an application to the LAFC for its approval of the proposal to create a service area, pursuant to Knox-Nisbet Act, commencing with Government Code Section 54773. Having such approval, the Board of Supervisors may, and must upon the written request of two supervisors, call a public hearing on the proposal. Upon written protest of 50% or more of the registered voters, or by the owners of one-half or more of the value of land and improvements, against the proposal, the Board of Supervisors must abandon the proceedings to create the service area. After the hearing, the Board of Supervisors may abandon the proposal or fix the boundaries and establish the area, with or without a confirmation election. If a confirmation election is not called, the established area is subject to referendum upon petition of 10% of the registered voters within the area.

Regarding the provision for fire fighters and equipment, the area once established, the Board of Supervisors may contract with the State Forester, with a city, or with a fire district to provide

the fire protection services within the area. Alternatively, the Board of Supervisors may designate a county officer to provide such services.

Regarding the maximum property tax rate, since a program of fire protection is being transferred from the County to the service area, the maximum property tax rate for the new service area would appear to be set pursuant to Revenue the Taxation Code Section 2305 et seq. without the requirement of an election.

Fire Protection District

A fire protection district, single-purpose in nature and whose affairs may be governed by either the Board of Supervisors or an elected or appointed board, may be organized to provide fire protection with the unincorporated territory, the parts of which may be noncontiguous if the district is governed by the Board of Supervisors or its appointees, pursuant to the Fire Protection District Law of 1961 commencing with Health and Safety Code Section 13801.

Regarding its formation, the Board of Supervisors makes application to the LAFC for its approval of the proposed fire district pursuant to the Knox-Nisbet Act, commencing with Government Code Section 54773. Having such approval, the Board of Supervisors notices a public hearing on the proposal pursuant to the District Organization Law, Article 4, commencing with Government Code Section 58090. If the Board of Supervisors finds that the proposal is feasible, economically sound, and for the public interest, it fixes the boundaries of the district and then calls an election pursuant to Article 5 of said District Organization Law for voters' confirmation of the district. However, if a petition signed by 51% of the registered voters or by the owners of 51% of the assessed value of property, requesting the formation of the district, is presented to the Board of Supervisors, the formation election may be dispensed with. If the new directors are to be elected, they are elected at the same time as the district formation election.

Regarding the provisions of fire fighters and equipment, the district may have its own personnel and equipment or contract with the County for the services of the County Fire Warden (Government Code Section 55603), with the State Forester (Public Resources Code Section 4142), or with a city (Health and Safety Code Section 13052.5) for such services.

Regarding its maximum property tax rate, since a fire protection function is being transferred from the County to the newly created district, the initial maximum property tax rate may be set without election in the manner provided by Revenue and Taxation Code Section 2305 et seq.

Community Services District

A community services district, multipurpose in nature, may be established within the unincorporated territory according to the Community Services District Law, commencing with Government Code Section 61000, to provide fire protection.

The formation of such a district is commenced by the filing of a petition with the Board of Supervisors, signed by at least 10% of the registered voters within the proposed district, after such petitioners having received the approval of the LAFC pursuant to the Knox-Nisbet Act. The petition may state as an alternative to an elected board of directors that the Board of Supervisors shall constitute the board of directors with authority to later call for an election of directors.

The Board of Supervisors calls a hearing on the petition, and if it determines that the proposed district is in the public interest and is economically feasible, it fixes the boundaries and shall call an election to determine whether the district should be formed and to select the persons to serve as its board of directors. However, if the petition is signed by all the registered voters within the proposed district, the Board of Supervisors may dispense with the formation election, form the district, and designate the members of the board of directors.

Regarding its operation, suffice it to say that the board of directors of a community service district formed for the purpose of fire protection, has all the rights, powers and duties as a board of directors of a fire district, discussed hereinabove.

The initial tax rate may be established in the same manner as the rate for a fire protection district, discussed hereinabove.

De Facto Taxing Area

First, a word about State Responsibility Areas. The State Forester has financial responsibility to provide forest, range and watershed protection (not structural protection) within State Responsibility Areas. These areas cannot by law include a city, but do lie in parts of the unincorporated territory. This financial responsibility remains with the State whether or not a special district is superimposed upon such areas. The County may request from the State and pay for a higher level of watershed protection or structural fire protection within such State areas, but the County is not reimbursed such extra costs from the State (Public Resources Code Section 4101 et seq.).

Pursuant to Government Code Sections 25642 and 25643, the Board of Supervisors may levy a property tax to provide both structural

and forest, brush and grasslands fire protection. Cities and districts become exempt from such tax when they file their resolutions with the Board of Supervisors, stating that they provide fire protection within their cities and districts. County service areas formed for structural fire protection are automatically exempt from such tax to the extent that the County tax finances structural fire protection.

However, such cities and districts are not exempt from the County property tax levied to provide additional watershed fire protection within State Responsibility Areas, the cost of which the County is not reimbursed by the State. Although cities and districts may be charged for supplemental watershed protection, they cannot be charged for supplemental structural fire protection with State Responsibility Areas, which the County has requested the State to provide therein.

Thus, we see, according to Government Code Section 25643, upon proper filings of resolutions with the Board of Supervisors by the cities and districts, a de facto taxing area is created by a process of elimination within the unincorporated territory outside of districts, cities and service areas providing their own fire protection. Furthermore, in conformity with said Section, the taxes for County fire protection services can be levied only on property "served by and benefiting" from such services. Consequently, it would appear that the Board of Supervisors could simply exclude additional properties within the unincorporated territory from such taxes on the basis that they are not benefited thereby.

Regarding the provision of firemen and equipment, the Board of Supervisors may utilize the County Fire Warden, contract with the State Forester or with cities and districts for such fire protection services. Additionally, fire companies may be organized in unincorporated towns pursuant to Health and Safety Code Section 14825 et seq.

Regarding the maximum property tax rate for a de facto area, Revenue and Taxation Code Section 2216 (Chapter 358, Statutes, 1973-1974) states that an area receiving fire protection pursuant to Government Code Section 25643 is a "special district" for purposes of the maximum property tax rate law. Since the boundaries of the de facto taxing area would be altered by reduction thereof with the filings of resolutions by the cities and districts, it would appear that the maximum tax rate for the de facto area may be set pursuant to Revenue and Taxation Code Section 2295 et seq. without an election of the people establishing the initial tax rate. Government Code Section 25643 also provides that fire protection services, within

The Honorable Board of Supervisors
Page 5
October 11, 1973

the de facto taxing area, may be financed from nonproperty tax revenues collected within the unincorporated area of the County.

Very truly yours,

RICHARD J. MOORE
County Counsel

By

B. Zuppan
BEN H. ZUPPAN
Deputy County Counsel

BHZ:a

cc: County Administrator
William H. Hildebrand

Chron

OFFICE OF THE
COUNTY ADMINISTRATOR

October 16, 1973

The Honorable Board of Supervisors
Administration Building
Oakland, California 94612

Gentlemen:

Subject: Fire Protection in the Unincorporated Area of the County

Your Board has instituted proceedings to form a County Service Area for fire protection services in the unincorporated area outside of County Service Areas for fire protection or fire districts.

The County presently provides for protection in that portion of the unincorporated area through two fire stations: one, in Sunol, which is operated by the State under contract with the County; and the other, on College Avenue in Livermore which is operated by the Sheriff, Field Services Division.

The County's Fire Patrol is responsible for fire protection in an area of approximately 240 square miles. Developments in this area include several hundred residences ranging in size from single-residence units to large ranch complexes. Other major developments include three major winery facilities, two flammable bulk plants, several light industrial or commercial establishments, as well as several schools and churches. It also includes the General Electric nuclear facility on Vallecitos Road.

Major residential developments in the area can be found along Crow Canyon, Palomares Canyon, and Eden Canyon Roads in the Castro Valley area and Patterson Pass Road in Mountain House.

Major undeveloped areas include those near Newark; Overhill Drive, Winton Avenue and the area south of the Hayward airport near Hayward; those areas outside of Livermore, including Stanley Boulevard and Patterson Pass Road; portions of the Dublin area and portions of the Pleasanton area near Bernal Road and Highway 680. Other areas include parcels near San Leandro, San Lorenzo and the Hetch Hetchy power facilities near Sunol Glen.

The cost of providing fire protection is \$280,137 for the present fiscal year, including departmental direct overhead. This cost increases to \$305,894 if County-wide indirect overhead costs are applied.

B-21

When these costs are applied to the total assessed valuation of the unincorporated area outside of fire districts, County Fire Service Areas, and the Valley Community Services District (which is \$71,049,523), an equivalent tax rate of 39.42¢ per \$100 assessed value (or 43.05¢ per \$100 assessed value if the County-wide overhead is included) is obtained.

There are several factors which, however, may affect the proposed tax rate equivalent. As noted in the County Counsel's attached report, the Board of Supervisors may limit the boundaries of the proposed County Service Area to only those areas which would receive direct benefits from the fire stations in Sunol and Livermore. This may not include such areas as the Vallecitos nuclear facility which has its own fire station and the unincorporated areas near the Cities of San Leandro, Hayward and Newark which are located a considerable distance away from fire stations and may not, therefore, reasonably expect to derive significant benefits from those fire stations. If these areas were excluded, tax rate would rise to \$1.05¢ or 55.74¢ per \$100 assessed valuation if County-wide indirect costs are included. Please note that these figures relate only to the present level of service, i.e., State contract at Sunol and County forces at Livermore. If the County increases the service level, it is likely that the tax rate will be higher. The present service level provided by the State under contract would probably result in a 23.02¢ tax rate. If a contract with a city is possible, the tax rate would probably be about the same as Castlewood, Happy Valley or Stanley Boulevard County Service Areas which have a 44¢ tax rate.

For comparison, the tax rates for existing fire protection districts range from the low of 31¢ for Tennyson Fire Protection District to a high of \$1.12 for Zone 1, Castro Valley. The average tax rate for all County Fire Protection Districts is 62.66¢.

If a County Service Area is formed, the County may dispose of the facilities used by the Field Services Division in any way it sees fit. If the County decides to contract with State Forester or some other agencies' fire services, the facilities may be sold or transferred to that agency in lieu of payment. If fire protection is to be provided by the fire district itself, the facilities may be transferred to the fire district as it is an agency of the County. Records of the County Auditor show that as of June 30, 1973, total equipment on hand has an acquisition cost of \$16,161.79. Because of the County's accounting system, it is not possible at this time to determine the actual fair market value of the equipment on hand. The foregoing figure does not include the fire trucks and other motor vehicles used by the Division, since these pieces of equipment are on the inventory of the Motor Vehicle Division which "rents" them to the Field Services Division for a set monthly charge which includes operation and amortization. This arrangement will continue in the event of the formation

The Honorable Board
of Supervisors

-3-

October 16, 1973

of a County Service Area. The issue of the formation of a County Fire Protection Service Area is on the October 25 agenda of the Local Agency Formation Commission for public hearings.

Very truly yours,



Loren W. Enoch
County Administrator

LWE:PAM:ls

Attachment

cc: Members of the Board
County Counsel

LOCAL AGENCY FORMATION COMMISSION
COUNTY OF ALAMEDA

ADMINISTRATION BUILDING
OAKLAND, CALIFORNIA 94612

• ROOM 555 •
•••••

1221 OAK STREET
TELEPHONE 874-6253

MEMBERS

JOSEPH P. BORT
ARTHUR R. FLEGAL
ALVIN W. KANT
HAROLD B. MURPHY
JOHN D. MURPHY

ALTERNATE MEMBERS

FRED F. COOPER
JOE CARLEVARO
THOMAS H. SCHWESER

EXECUTIVE OFFICER
ROLAND MAYNE

October 17, 1973

The Honorable Commissioners
of the Local Agency Formation Commission
of Alameda County

Subject: County Service Area F-1973-1
Formation of County Service Area

Gentlemen:

This is a proposal from the Board of Supervisors of the County of Alameda to create a County Service Area for fire protection in all areas in the county not covered by organized, public fire protection service. This request is made pursuant to petition filed with the Board of Supervisors for the creation of a County Service Area.

Attached is a report prepared by the County Administrator for the Board of Supervisors on the tax rate implications of this proposal and an opinion from County Counsel on the various methods of creating a Special Taxing District in order to finance fire protection within the unincorporated area of the County.

To summarize the County Administrator's letter, the County's present budget for fire protection is \$280,137. If the County-wide indirect overhead is applied, the cost increases to \$305,894. There is an assessed valuation of \$71,049,523. If we assume this budget for the fire protection service, the tax rate would be 39.42¢ per \$100 of assessed valuation, without County-wide overhead; or, 43.05¢, if County-wide overhead is included. Any tax rate for this service would vary, in accordance with the level of service to be provided. The tax rate limitation as required by SB 90, and as amended by AB 2004, would depend on the amount of the tax rate transferred from the County to the Service Area, as determined by the 1974-75 budget.

This request is unique, in that the Commission is being asked to determine the most appropriate method of financing an existing service. The county fire patrol has existed since about 1917 and has always been financed from the General Fund. The service originally provided was for the purpose of supplementing the State's responsibility for grass, brush and timberland. The State meets its obligation for this service by the operation of a station at Sunol during the fire season—normally about May 1 to November 1. The State service in Sunol is supplemented by fire season stations in Sunshine Canyon near Clayton and Corral Hollow in Western San Joaquin County. This service is supplemented by the County's full-time year-around station at Livermore and supplemental year-around service provided by the State at county expense, at their Sunol station. Although these services are provided only in the areas where other taxing agencies do not provide fire service, the entire county is taxed for this service.

he Board of Supervisors now wishes to review this policy and has requested permission to establish a County Service Area to implement this policy change. The County Administrator's report points out that there are certain areas within the proposed Service Area which are islands within the incorporated cities or that provide their own organized fire protection and might be excluded from this service area, on the basis that their service would be minimal, at best. On the other hand, these areas are relying upon the hope that their surrounding cities could be "good neighbors" and provide fire protection, if required.

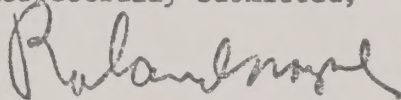
Since the County Service Area proposal before the Commission is, in effect, a change in policy by the Board of Supervisors, and the Board wishes to require the areas receiving fire protection services to pay for said services, then the County Service Area is an appropriate vehicle for accomplishing this end. The question of whether certain islands of territory within cities and areas providing proprietary fire protection service should be included, are also matters of primary concern in the Board policy.

HEREFORE, IT IS RECOMMENDED:

That the Board of Supervisors be given the authority to proceed with the necessary steps in establishing a County Service Area for fire protection in the unprotected areas of the County.

That the Board of Supervisors determine what non-contiguous areas, if any, are to be excluded from this Service Area.

Respectfully submitted,



ROLAND MAYNE
Executive Officer

4:hs

Attachment

c: Members of the Commission
Board of Supervisors

APPENDIX C

POPULATION OF ALAMEDA COUNTY, APRIL 1, 1970 AND
PRELIMINARY ESTIMATES, PLANNING UNITS, PLANNING AREAS AND CITIES
JANUARY 1, 1973

	April 1, 1970 (U.S. Census)	January 1, 1973 Estimated	January 1, 1973 Rounded
<u>Alameda County</u>	<u>1,073,184</u>	<u>1,147,304</u>	<u>1,147,000</u>
Total Incorporated	938,050	1,008,934	1,009,000
Total Unincorporated	135,134	138,370	138,500
<u>Central Metropolitan Planning Unit</u>	<u>577,517</u>	<u>583,164</u>	<u>583,000</u>
Alameda	70,968	76,128	76,100
Albany	14,674	14,695	14,700
Berkeley	116,716	116,491	116,500
Emeryville	2,681	3,135	3,150
Oakland	361,561	361,779	362,000
Piedmont	10,917	10,936	10,900
<u>Eden Planning Unit</u>	<u>274,787</u>	<u>283,228</u>	<u>283,500</u>
Incorporated	161,756	168,036	168,000
Unincorporated	113,031	115,192	115,000
Castro Valley Planning Area	45,560	46,664	46,700
Hayward Planning Area	143,171	148,027	148,000
Hayward (City)	93,058	97,291	97,300
Hayward Unincorporated	50,113	50,736	50,700
San Leandro Planning Area	85,684	88,142	88,100
San Leandro (City)	68,698	70,745	70,700
San Leandro Unincorporated	16,986	17,397	17,400
RRA-1 (Upper Crow Canyon)	205	233	230
RRA-2 (East of Palomares)	167	162	160
<u>Washington Planning Unit</u>	<u>143,225</u>	<u>181,845</u>	<u>182,000</u>
Incorporated	142,746	181,291	181,500
Unincorporated	479	554	550
Fremont (City)	100,869	124,119	124,000
Newark (City)	27,153	30,344	30,300
Union City Planning Area	15,115	27,285	27,300
Union City (City)	14,724	26,828	26,800
Union City Unincorporated	391	457	460
RRA-3 (Stony Brook)	88	97	100
<u>Livermore-Amador Valley Planning Unit</u>	<u>77,655</u>	<u>99,067</u>	<u>99,100</u>
Incorporated	56,031	76,443	76,400
Unincorporated	21,624	22,624	22,600
Livermore Planning Area	39,589	48,751	48,800
Livermore (City)	37,703	46,795	46,800
Livermore Unincorporated	1,886	1,956	1,950
Pleasanton Planning Area	20,049	31,437	31,400
Pleasanton (City)	18,328	29,648	29,600
Pleasanton Unincorporated	1,721	1,789	1,800
Upper Amador Valley	15,041	15,760	15,800
RRA-4 (Livermore)	959	1,028	1,050
RRA-5 (Pleasanton)	2,017	2,091	2,100

RRA - Rural Recreation Area

^a Estimated by Alameda County Planning Department, based on building permits, electric meter data, and average persons per occupied housing unit.

Alameda County Planning Department

April, 1973

1970 CENSUS TRACTS COMPRISING THE UNINCORPORATED,
PLANNING AREAS

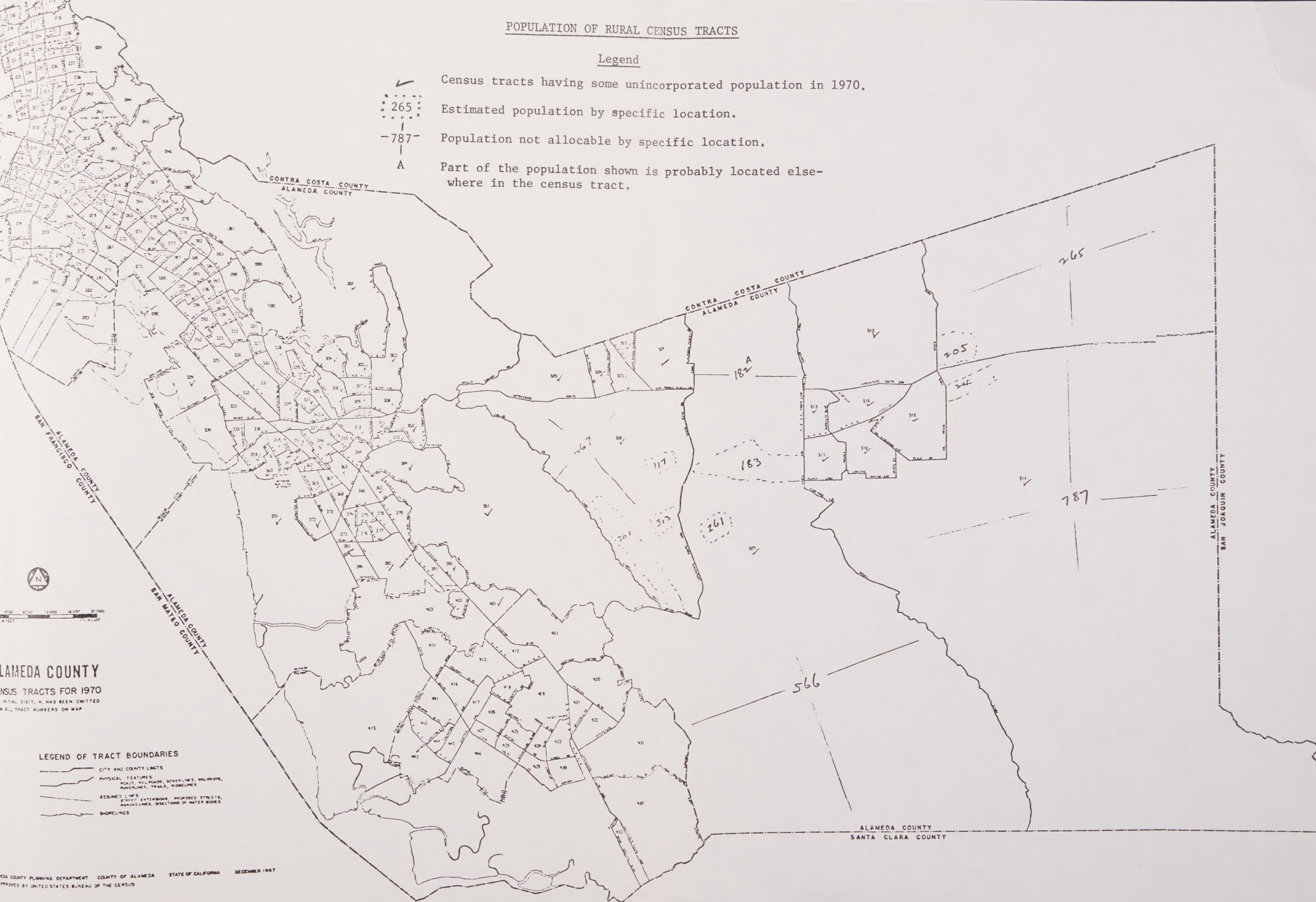
<u>Planning Area</u>	<u>All or Unincorporated Portion of 1970 Census Tract</u>
HU-1 (Cherryland)	4355, 4356, 4363
HU-2 (Hayward Area)	4362, 4367, 4369
HU-3 (Hayward Hills)	4351, 4352, 4353, 4364, 4365, 4380
HU-4 (La Vista)	4382
HU-5 (Mt. Eden)	4371, 4372
HU-6 (San Lorenzo)	4357, 4358, 4359, 4360, 4361
SU-1 (Ashland)	4337, 4338, 4339, 4340
SU-2 (Hillcrest Knolls)	4328, 4329
SU-3 (Remainder)	4324
Castro Valley	4302 - 4312 (plus ED's 94-97) and 80% of ED 98 of 4301)
Union City Unincorporated	4401 (plus ED's 119, 122 of Tract 4351)
RRA-1	20% of ED-98 Tract 4301
RRA-2	ED's 115, 116, 112 of Tract 4351
RRA-3	ED 117 Tract 4351
RRA-4	ED's 39, 40 Tract 4511
RRA-5	ED's 72-80, 86, 86B, 92, 118 Tract 4501, 4506, 4507
Livermore	ED's 37, 38A, 38B, 38C, 38D, 41, 42, 43, 44A, 44B, 46, 47A, 47B, 48A, 48B of Tracts 4507, 4513, 4514, 4515, 4516, 4517, 4511, 4512
Pleasanton	ED's 64-71, 83, 85, 87-90, 93 of Tracts <u>4506</u> , <u>4507</u>
Upper And dor Valley	Tracts 4502-4504 plus ED's 81, 82 of Tract 4505

NOTE: Where ED's are listed Tracts are split by other unincorporated Planning Areas.

POPULATION OF RURAL CENSUS TRACTS

Legend

- ✓ Census tracts having some unincorporated population in 1970.
- 265 Estimated population by specific location.
- 787- Population not allocable by specific location.
- A Part of the population shown is probably located elsewhere in the census tract.



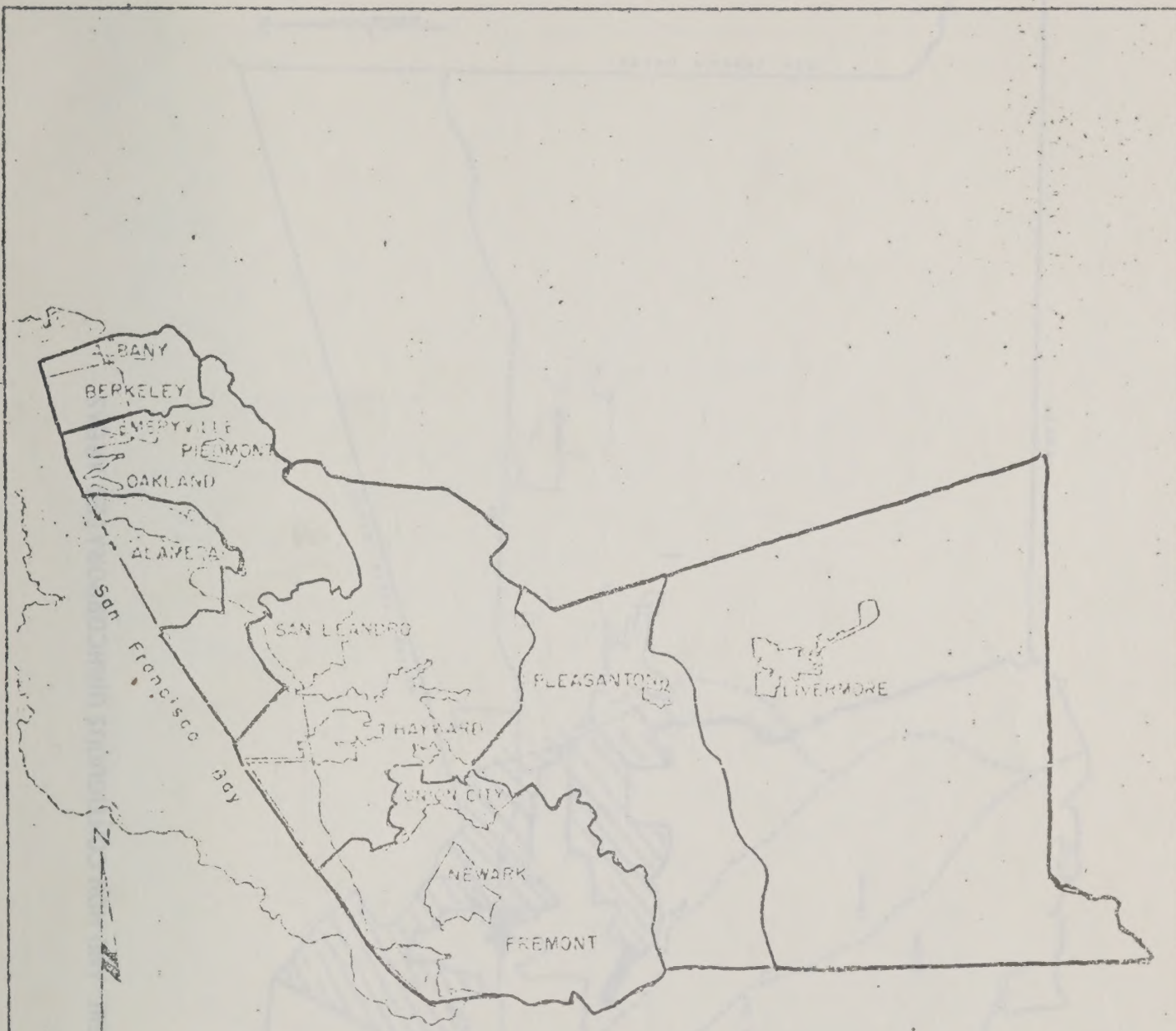
ALAMEDA COUNTY

CENSUS TRACTS FOR 1970

INITIAL DIGIT, 4, HAS BEEN OMITTED
IN ALL TRACT NUMBERS ON MAP

LEGEND OF TRACT BOUNDARIES

- CITY AND COUNTY LIMITS
- PHYSICAL FEATURES
ROADS, RAILROADS, RIVER LINES, WATERWAYS,
POWDER LINES, TRAILS, RIDGELINES
- ASSUMED LINES
STREET EXTENSIONS, PROPOSED STREETS,
RANCH LINES, DIRECTIONS OF WATER BODIES
- SHORE LINES

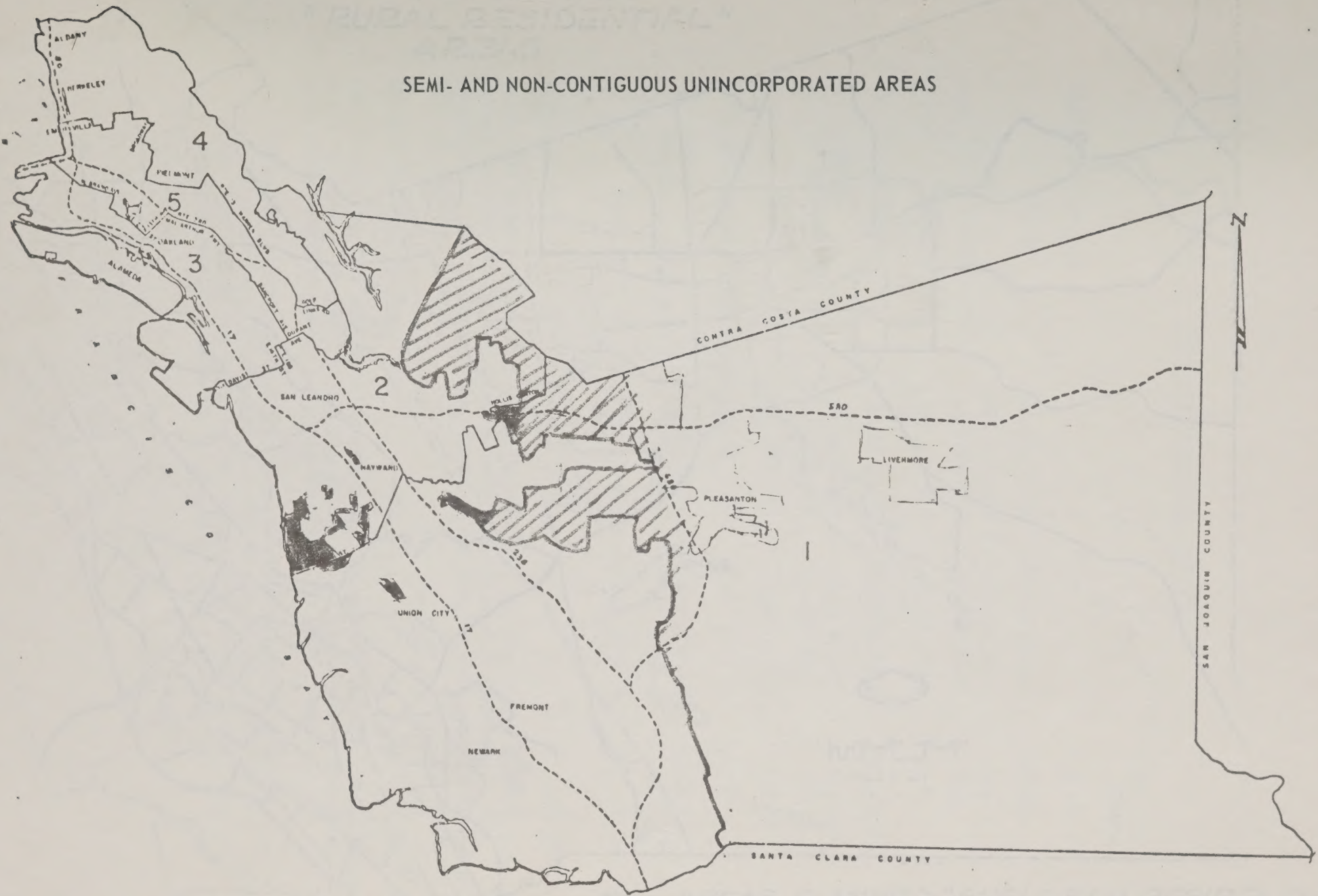


STRIP ANNEXATION

Although this map is no longer current, it typifies the compounded strip annexation problem:

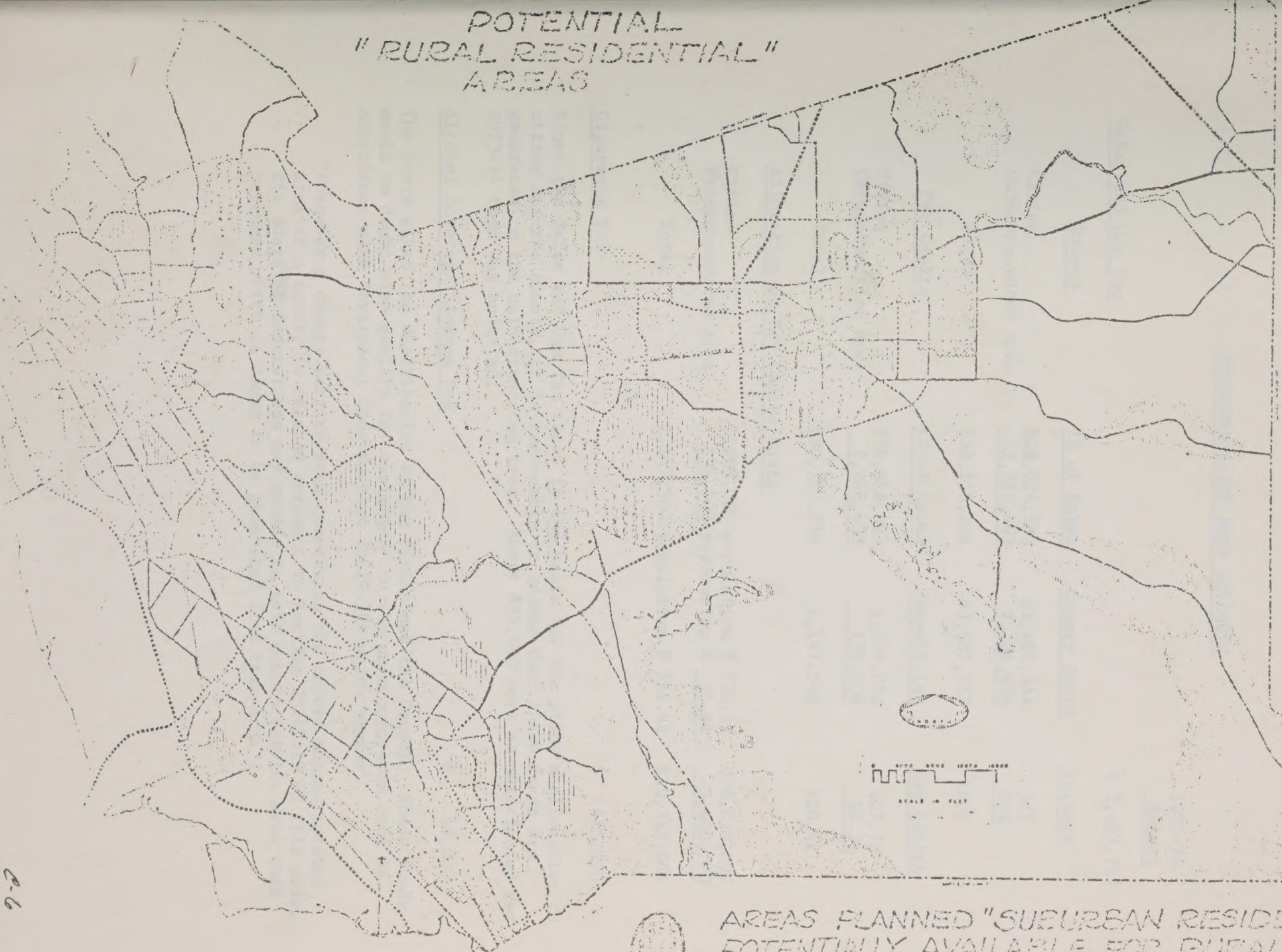
- the tax base (sales & commercial) is removed as fast as it develops;
- services to the unincorporated area are more difficult to provide.

SEMI- AND NON-CONTIGUOUS UNINCORPORATED AREAS



C-5

POTENTIAL
"RURAL RESIDENTIAL"
AREAS



AREAS PLANNED "SUBURBAN RESIDENTIAL"
POTENTIALLY AVAILABLE FOR RURAL
RESIDENTIAL USE PER POLICY.

9-2

UNINCORPORATED AREA REVENUES

			1973-74 <u>Budget</u>
<u>Sales and Use Tax</u>			\$ 3,687,747
<u>Source</u>	<u>1% of Sales</u>	<u>County Share</u>	<u>Percent</u>
Cities	\$28,026,883	\$1,401,344	38%
Unincorporated Area	<u>2,286,403</u>	<u>2,286,403</u>	<u>62%</u>
Total	\$30,313,286	\$3,687,747	100%
<u>Per Capita</u>	<u>1% of Sales</u>	<u>Population</u>	<u>Per Capita</u>
Cities	\$28,026,883	1,009,000	\$27.78
Unincorporated Area	<u>2,286,403</u>	<u>138,500</u>	<u>16.51</u>
Total	\$30,313,286	1,147,500	\$26.42
<u>Allocation on Per Capita Basis</u>			
Cities	1,009,000 population @ \$26.42	\$26,655,000	
Unincorporated Area	<u>138,500 population @ 26.42</u>	<u>3,660,000</u>	
Total	1,147,500 population @ \$26.42	\$30,315,000	

Cigarette Tax \$ 478,000

Since the Sales and Use Tax ratio is the basis for the State's allocation to cities and the county, it is reasonable to assume that these funds are generated in the unincorporated area. About \$35,000 more is anticipated for 1973-74 than was budgeted.

Alcohol Beverage License Fee \$ 48,000

The State makes the distribution to the cities and the County. These funds would no doubt also qualify for assignment to the unincorporated area in accordance with Government Code Section 25210.10b which reads:

"Whenever a county service area comprising the entire unincorporated area of a county is created pursuant to Section 25210.10 of this code, the Board of Supervisors may credit to said county service area such revenues which it deems to be generated from that area".

Unincorporated Area Revenue (Cont'd.)

<u>Franchises</u>	\$ 60,000
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Gas and electric franchises, resulting from the use of the County road network right-of-way, produce this revenue. Cities have similar franchises.

Total Non-Departmental Revenue Generated in the Unincorporated Area	<u>\$ 4,273,747</u>
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SAN DIEGO STUDY

In November 1971, the San Diego County Chief Administrative Officer presented a report to the Board of Supervisors entitled "Provision and Financing of County Services in the Unincorporated and Incorporated Areas". This report reviewed indepth County-wide revenues and expenditures, as well as the makeup of the unincorporated area; among its conclusions were the following:

1. The Board should apply a "three-area concept" to the County; these steps are:

The incorporated area
The back country
The unincorporated community

2. The services to the back country, which contains from 10 - 45 persons per square mile and which functions as a recreational and natural resource, should be supported on a regional basis (i.e. county).
3. Maximum tax and service equity can be achieved only if revenues and expenditures are viewed on a County-wide basis.
4. ". . . Despite the great number of inequitable and confusing factors involved, a macroscopic view of the financing of governmental services reveals that a generally equitable situation exists within the County." Actually, under the three-area concept, those revenues allocated to the unincorporated community exceed expenditures by about 20% (\$1,510,000).

A key revenue element which allocated on a per capita basis completely shifts the equity picture are the unallocated income from the following: sales and use tax, motor vehicle in-lieu tax, fines and forfeitures, cigarette tax, and real property transfer tax. The revenue from these sources amounts to \$51,860,000 or \$37.74 per capita. However, the per capita revenue in the unincorporated area is only \$9.36. If there were a uniform distribution of these revenues on a per capita basis, the unincorporated area revenue would increase from \$2,702,000 to \$10,900,000.

Specifically, the foregoing redistribution of revenue would produce \$1,510,000 in excess of the needs of the unincorporated area, and would result in the following shift:

<u>Incorporated Area</u>	<u>Actual Revenue</u>	<u>Per Capita Reallocation</u>	<u>Difference</u>
San Diego	\$31,982,000	\$26,905,000	\$(-5,077,000)
Other Cities	<u>17,176,000</u>	<u>14,055,000</u>	<u>(-3,121,000)</u>
Total Cities	\$49,158,000	\$40,960,000	\$(-8,198,000)
<u>Unincorporated Area</u>	<u>\$ 2,702,000</u>	<u>\$10,900,000</u>	<u>\$ 8,198,000</u>
<u>County-Wide Total</u>	\$51,860,000	\$51,860,000	\$ -0-

On page 25 of the subject report are found the following observations:

- . . . State formulas for the distribution of revenues follow no consistent framework nor particular logic in terms of population, needs, or usage.
- . . . Significant differences exist between the level of services provided from city to city, and between the unincorporated area and the city.
- . . . If the city could eliminate those services which are not provided in the unincorporated area, except through special tax districts, there would be no need for a general property tax rate in the cities.
- . . . If the County were to eliminate all areawide services, it would not require a general property tax, but would have a substantial surplus from State-allocated revenues.
- . . . There is a significant area of the County which is sparsely populated. In order to make this area available and usable by the residents of population centers, the County must provide for planning, roads and law enforcement. Certainly the small number of people who live in the remote areas should not finance all of these services.

PB:ls
2/11/74

SHERIFF'S DEPARTMENT ALAMEDA COUNTY
COST OF POLICE SERVICES - UNINCORPORATED, ALAMEDA COUNTY
FISCAL YEAR 1973/1974

I. PERSONNEL - CRIMINAL DIVISION

1	Chief of Division	(30% @ \$22,884) See Appendix A, *1	\$ 6,865
1	Captain, Station Commander	(95% @ \$20,743) See Appendix A, *2	19,710
1	Lieutenant, Executive Officer	(95% @ \$18,264) See Appendix A, *3	17,355
3	Lieutenants, Patrol		54,792
7	Sergeants, Patrol		110,460
72	Deputies, Patrol		981,504
2	Lieutenants, Investigations		36,528
26	Sergeants, Investigations		424,500
1	Steno II, Investigations		8,532
2	Clerk II, Investigations		16,100
1	Lieutenant, Service Section	(90% @ \$18,264) See Appendix A, *4	16,100
1	Sergeant, Service Section	(95% @ \$15,780) See Appendix A, *5	14,991
3	Deputies, Warrants		40,896
1	Deputy, Licenses		13,632
3	Deputies, 270 P.C. Warrants	(5% @ \$40,896) See Appendix A, *6	2,044
14	Dispatchers	(75% @ \$145,152) See Appendix A, *7	106,864
3	Sheriff's Clerks		27,972
1	Clerk III		8,868
11	Clerk II	(85% @ \$83,572) See Appendix A, *8	75,086
Salary Total - Badge Personnel (118.2 man/yr)			<u>\$1,739,377</u>
Salary Total - Civilian Personnel (26.85 man/yr)			<u>\$ 243,422</u>

Other Pay Expenditures

Overtime Pay, All Personnel	\$ 75,000
Badge Personnel Fringe Benefits @ 16.4%	285,313
Civilian Personnel Fringe Benefits @ 18.3%	44,546
Uniform Allowance, 125 Badge Personnel @ \$150	18,750
Holiday Pay, All Personnel	<u>102,039</u>
Total - Other Pay Expenditures	<u>\$ 525,648</u>
 Grand Total - PERSONNEL	 <u><u>\$2,508,447</u></u>

II. CAPITAL ITEMS AND OUTLAYA. Vehicles

Patrol cars (17), 811,128 miles @ \$.13 per mile	\$ 105,441
Investigators, warrants, command vehicles (35) 454,792 miles @ \$.13 per mile	<u>59,579</u>
Total - Vehicle	<u><u>\$ 165,020</u></u>

B. Electronics

Radios, mobile (52) @ \$12.50 per month	\$ 7,800
Sirens (52) @ \$3.60 per month	2,244
Radios, portable (10) @ \$8.85 per month	1,062
Closed circuit television @ \$74.00 per month	888
Consoles (75% of \$2,106 per year)	See Appendix A, *9 <u>1,579</u>
Total - Electronics	<u><u>\$ 13,573</u></u>

C. Station Facilities and Expenses

C. Station Facilities and Expenses - Continued

Telephone	\$ 22,344
Office supplies	4,600
Office machine and other maintenance	1,225
Household supplies	925
Postage	2,208
Travel - Conferences - Meetings	1,020
Special expenses (first aid, lab tech, ammo, batteries, flares, lab tests, restraints, etc.)	<u>5,150</u>
Total - Station Facilities and Expenses	<u>\$ 37,472</u>

SUMMARY OF EXPENDITURES

Criminal Division

Personnel	118.2 man/yr	- badge	\$1,739,377
-----------	--------------	---------	-------------

26.85 man/yrs - civilian 243,422

Other Pay Expenditures	525,648
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Total Personnel	\$2,508,447
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Vehicles	\$ 165,020
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Electronics	13,573
-------------	--------

Station Expenses	37,472
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Total Capital Items and Outlay	\$ 216,065
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County-wide Support Sections (See Appendix B)

Total Cost	\$1,731,977
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Criminal Division

Fixed Costs of County-wide Support Sections	\$ 156,841
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Total - Personnel	\$2,508,447
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Total - Capital Items	216,065
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Total - Fixed Costs of County-wide Support Sections	<u>156,841</u>
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GRAND TOTAL	\$2,881,353
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Less - Share of Fixed Costs of County-wide Support Sections	- 156,841
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NET TOTAL	\$2,724,512
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COMPARISON DATA, ADJOINING AGENCIES 1973-74 FISCAL YEAR

<u>Police Department</u>	<u>Budget</u>	<u>Population</u>	<u>Cost--- Police Services Per Capita</u>	<u>Sworn Personnel Per 1000 Population</u>	<u>Part I Crimes Index</u>	<u>Per 1000 Population</u>
Hayward	\$2,689,242.00	97,000	27.60	1.2	4662	47.70
San Leandro	\$2,186,739.00	70,300	31.10	1.2	2694	38.21
Fremont	\$3,006,250.00	125,000	24.00	.92	4944	41.37
Sheriff	\$2,881,700.00	138,500	20.80	.85	4739	34.30

Average - All Alameda County law enforcement agencies-
Sworn personnel per 1000 population 1.62

The California Highway Patrol has 77 badge personnel assigned to the freeways and roadways of unincorporated Alameda County. Traffic enforcement and accident investigation.

APPENDIX A

RATIONALE FOR MAN YEAR PERCENTAGES

- *1 Administrative control extends to:
 - A. Central Identification Bureau - county-wide
 - B. Laboratory Section - county-wide
 - C. Reserve Deputy and Rescue Section
 - D. Explosive Ordnance Disposal - county-wide
 - E. Intelligence Bureau
 - F. Organized Crime Unit - county-wide
 - G. Highland Hospital Security - Eden Township Security
 - H. Non-support Warrant Unit - county-wide
 - I. Radio Dispatch, Central Records, Computer Data Planning - county-wide
- *2 Command extends to:
 - A. Highland Hospital Security - Eden Township Security
 - B. Non-support Warrant Unit - county-wide
 - C. Radio Dispatch, Central Records, Computer Data Planning - county-wide
 - D. Some Mutual Aid and Civil Defense response procedures
- *3 Same as *2.
- *4 Duties include:
 - A. Computer - Data - Planning - county-wide
 - B. Supervision - Non-support Warrant Unit - county-wide
 - C. Supervision - Radio Dispatch, Central Records - county-wide
 - D. Supervision - Early Warning System - county-wide
- *5 Duties include:
 - A. Supervision - Non-support Warrant Unit - county-wide
 - B. Supervision - Radio Dispatch, Central Records - county-wide
 - C. Supervision - Early Warning System - county-wide
- *6 Non-support Warrant Unit spends 95% of its time serving warrants within city jurisdictions.
- *7 Dispatchers responsible for tactical deployment of 52 Sheriff's units in law enforcement effort.

Dispatchers' responsibility extends to 154 other radio equipped units that utilize Sheriff's dispatch on a 24-hour a day basis; plus, 113 radio equipped units that utilize Sheriff's dispatch during the night hours.

Included are:

Sheriff's Department - Santa Rita
Sheriff's Department - Transportation
Sheriff's Department - Work Furlough
Sheriff's Department Field Services - night only

*7 (Continued)

Sheriff's Department - Office of Emergency Services
Sheriff's Department - Electronics
Sheriff's Department - Explosive Ordnance Disposal
District Attorney's Office
District Attorney's Child Support Unit
Coroner's Office - nights
Health Department Med-Net
Hayward Area Recreation District
San Lorenzo School Patrol
East Bay Regional Park District
Ambulances services
Road Department - nights
Flood Control - nights

Dispatchers are also responsible for daily testing procedures of Federal Government, Civil Defense Warning Systems, and implementing local warnings, county-wide.

Also responsible for message control, State Mutual Aid; Region II Coordinator is Alameda County Sheriff - county - state-wide.

*8 Clerks in Warrant Section - duties include:

Non-support Warrant Unit - county-wide
Scanning and distribution of warrants to all county agencies via P.I.N.

Clerks in Sheriff's Record Section - duties include:

Maintenance of report files and alpha file on all divisions of department, e.g., Headquarters, Highland Security, Detention & Corrections, Marshal, Bailiff.

*9 Rationale based on 75% of dispatcher's console usage devoted to deployment of police services units.

APPENDIX B

COUNTY-WIDE SUPPORT SECTIONS

	<u>Total Operational Cost</u>	<u>Sheriff's Department Usage (Criminal Division Services Only)</u>
Central Identification Bureau	\$ 744,000	\$ 84,295
Crime Laboratory	222,000	48,880
Explosive Ordnance Disposal	40,473	12,546
Calif. Law Enforcement Teletype System	52,608	2,160
Police Information Network	632,000	8,960
Non-Support Warrant Unit	40,896	(2,044) *
SHERIFF/COUNTY - GROSS COST	\$1,731,977	
CRIMINAL DIVISION - FIXED COST		\$ 156,841

Note *: In personnel total

C-18

COUNTY OF ALAMEDA
OFFICE OF COUNTY ADMINISTRATOR

SUBJECT: Animal Control

REASON

FOR REPORT: Inquiry - Supervisor Fred F. Cooper

BACKGROUND

On July 1, 1967, as a result of a notification from the Society for the Prevention of Cruelty to Animals that they would no longer contract with the County or the various cities within the County for the provision of animal control services, Alameda County and the Cities of Fremont, Newark, Union City, Pleasanton, Hayward, Piedmont and San Leandro, formed a Cooperative Animal Control Program by use of a joint exercise of powers agreement. Alameda County agreed to operate the program with the cities contributing to the costs of that program. The contract provided for an Advisory Committee made up of the County Administrator and the City Managers involved in the program.

The present structure was developed on a crash basis and was considered at the time to be a temporary or interim arrangement, with the County and the cities being part of the program on a year-to-year basis only. Commencing with the 1970-71 fiscal year, the operating agreement was extended to a five-year period in order to add stability to the program. Although the contracts are for a five-year period, any city can withdraw at the end of any calendar year of the program.

Operating problems with the present contractual arrangement relate primarily to the problem of determination of program levels or priorities for the total area. The basis for determining levels of service and priority of project expenditures differs with each city and is generally unrelated to the total problem of animal control. Since each city does not operate its own program, public opinion in establishing a level of service is therefore directed against the County, who is responsible for operating the program. The major source of revenue for the Animal Control Program should be the sale of dog licenses. This portion of the Animal Control Program, however, is left to the discretion of the individual member agencies of the joint exercise of powers agreement. Revenue from the sale of licenses is therefore an individual program with revenues accruing to each jurisdiction, not to the Animal Control Program, as a whole.

Although not spelled out in the contract, the member agencies of the Animal Control Advisory Committee has mutually agreed that the charges to the various agencies would be sufficient to cover the total cost of operation. In working this budget, an estimate is made of the revenue derived from the redemption of animals. This amount is deducted from the total budget and the remainder is prorated to the various agencies in the same proportion as the number of animals handled from each jurisdiction during the preceding year. Because the estimates regarding revenue tend to be extremely conservative, it is quite possible that by using this method for the Animal Control budget to end up with a surplus of revenues over expenditures. If this is the case, the surpluses are applied to the following year's budget.

It is also important to note that the Animal Control budget does not include certain overhead costs for the Director and his secretary. The Director, Mr. William Hildebrand, notes that approximately one-half of his time and the time of his secretary is devoted to animal control activities. However, these salaries are charged to the Civil Defense budget due to the fact the County receives State subvention for Civil Defense activities. For the 1973-74 fiscal year, one-half of the salary of the Director and his secretary totals \$16,194.

FINANCIAL STATUS - 1973-74

Revenue received year to date for the first five months for humane services (city contracts) and shelter fees total \$128,820. If this amount is prorated to the end of the present fiscal year, the anticipated revenue for the Animal Control Program would be \$309,168. If this amount is added to the \$50,000 anticipated from animal licensing, the revenues expected for 1973-74 based on year to date experience would be \$359,168. This is contrasted with the budget appropriation for animal control services of \$312,079.

The revenue breakdown is as follows:

	<u>Budget 1973-74</u>	<u>Estimated 1973-74</u>	<u>Increase/ Decrease</u>
Humane Services	\$ 251,000	\$ 309,168	\$ 58,168
Animal Licensing	28,000	50,000	22,000
Other Revenue	<u>100</u>	<u>100</u>	<u>-0-</u>
Total -	\$ 279,100	\$ 359,268	\$ 80,168

Based upon preliminary estimates, the 1973-74 operating expenditures versus projected revenues are, as follows:

Total -	\$ 312,079	\$ 359,268	\$ 47,189- Surplus
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The conclusions drawn from the foregoing indicates that we are: 1) overcharging cities; 2) overrealizing shelter revenues; and, 3) have greatly underestimated the amount of revenue derived from animal licensing.

ALTERNATIVE PROGRAMS

No Change

If we make no changes in the present County animal control system, it is anticipated that there will be approximately a 10% increase in the cost of providing services based upon cost-of-living investments for the shelter and field personnel and adjustments in the Services and Supplies accounts due to inflation. This would indicate that the cost of animal control would be approximately \$343,300.

Since it is our intention to require cities to pay their prorata share of the costs of providing animal control services for their jurisdictions, we anticipate that revenue from cities will be slightly down from the current year; however, recent experience has shown a sharp upturn in shelter fees and licensing revenues, thus the amount of revenue anticipated for next year will probably be in the neighborhood of \$360,000. This then would balance the cost of the Animal Control Program

(\$343,300) and the costs not in the budget (the Director and his secretary's salaries- \$17,000) with the amount of revenue received.

It must be added at this point that we anticipate at the present time several significant changes in the operation of the division. These include the acquisition and installation of euthanair chambers for the humane destruction of unwanted animals at each shelter; and additional shelter staff to permit the shelters to be open from 8:00 a.m. to 5:00 p.m., six days per week, which is presently not the case. These two items will probably total an additional expense of approximately \$60,000 (\$30,000 one-time, \$30,000 on-going).

COUNTY-WIDE PROGRAM AT \$1 PER CAPITA

Attached is a copy of a report from Mr. Hildebrand, which is about 1-1/2 years old. In this report, Mr. Hildebrand describes the County-wide animal control program similar to those offered in other counties; notably, Contra Costa and Santa Clara. This proposal assumes the "donation" of all existing municipal animal control facilities to the County, and the operation of a County-wide program.

In costing out Mr. Hildebrand's proposal, we find the cost of the services described would be as follows:

Salaries & Wages (Including Fringe Benefits)	\$ 703,186
Services & Supplies	473,000
Capital (One-time cost)	<u>49,375</u>
Total	\$1,189,561

The Planning Department indicates the current population in the County to be approximately 1.15 million. Mr. Hildebrand's proposal thus results in a gross per capita cost of \$1.03. This figure assumes no revenue from shelter fees or licensing fees.

For the fiscal year 1973-74, the total revenue anticipated by the various jurisdictions within the county is \$335,751. This sum represents all revenues budgeted by cities for shelter fees in those cities which operate their own animal control program, all licensing fees from both cities and the County, and county shelter fees.

If the above-mentioned sum of \$335,751 is deducted from the cost of the proposed animal control program, the per capita cost of 74.2¢ results. This sum of money represents a property tax rate of 2.79¢ per one hundred dollars assessed value.

Mr. Hildebrand's proposal was presented to city managers at a city managers' meeting held in March 1972. There was very poor response to the County's request for a county-wide animal control program which would be funded either by an exercise of powers agreement or through the County General Fund, if a county-wide program were adopted. This move, in effect, was killed, when the City of Oakland announced they would not participate in such a program.

COUNTY-WIDE PROGRAM AT \$1.25 PER CAPITA

If the per capita expenditure of animal control services is increased to \$1.25, field services will be substantially increased. However, at this time, we are not in a position of recommending such an increase, since the program presented by Mr. Hildebrand already represents substantial enhancement of the various animal control programs provided to the citizens of Alameda County. As an alternative, we would prefer to implement the lesser program; then, if warranted, increase the service on selective basis to correct specific problems as they occur.

A per capital expenditure of \$1.25 would require the expenditure of \$1,437,500 for animal control activities. If the anticipated revenue figure of \$335,751 is deducted from that sum, a deficit of \$1,101,749 would result. This amount would have to be raised through the property tax, which would result in a tax rate equivalent of 3.6¢ per one hundred dollars assessed valuation.

ALTERNATIVE REVENUE SOURCES

Each agency in the County independently handles animal licensing. Those revenue accrue directly to each individual agency and are therefore not included as part of our current revenue picture. Animal licensing in the County is handled through the Field Services Division of the Sheriff, which is separate and apart from the Animal Control budget. In this way, the animal licensing revenues accrue directly to the County's General Fund and is not used to directly support the Animal Control Program.

As previously noted, in the forthcoming year, the County budget anticipates receiving some \$28,000 in revenue from animal licensing activities. Thus far, some \$25,686 has been realized from the sale of animal licenses. This would seem to indicate that our revenue projection was low by about \$22,000; that is, licensing revenues should total some \$50,000 for the present fiscal year. Revenue from licensing activities is described as follows:

<u>Actual</u> <u>1971-72</u>	<u>Estimate</u> <u>1972-73</u>	<u>Budget</u> <u>1973-74</u>	<u>Estimate</u> <u>1973-74</u>
\$24,267	\$24,000	\$28,000	\$50,000

The reason for the noticeably large increase in anticipated revenues for 1973-74 is due to the County's implementation of a vigorous license enforcement program. To our knowledge, no jurisdiction has heretofore made an attempt to actively pursue the licensing of all dogs as required by law. In 1973-74, the County implemented a program whereby veterinarians would be required to inform the County of all unlicensed dogs when those dogs were brought in for vaccination. In this manner, the County is able to vigorously follow up on license enforcement, thus increasing revenues. The City of Fremont has recently implemented a similar program, utilizing a computer, which has similarly increased the city's revenues.

By utilizing this program and by making a vigorous attempt to license all dogs, primarily utilizing summer workers, it is anticipated that the County could raise sufficient revenue to offset all or nearly all costs of the county-wide animal control program. This proposal may seem ambitious, however, it is noted that the City of Los Angeles' animal control licensing program annually returns a substantial sum of money in excess of the cost of operating the licensing program and all other animal control activities, including a low cost spay clinic.

CURRENT STATUS

On October 10, 1973 the County Administrator sent a questionnaire to all cities (copy attached) regarding the cities' desires for a county-wide animal control program. The results of this study were slightly more encouraging than our first request for such information, in March 1972. The Cities of Pleasanton, Hayward, Newark, Union City, Alameda and Livermore stated they would be in favor of the County providing shelter services only, with the responsibility for field services resting with the individual city. Fremont and San Leandro stated their preference for a complete program operated by the County, while the City of Oakland stated they would consider the transfer of animal control activities to the County at such time as they were assured that the existing levels of service would be maintained or improved. The Cities of Albany, Berkeley, Fremont and Emeryville did not respond.

No other direction for a county-wide animal control program has been received. The County Administrator is presently working with the Director of Field Services to develop what is considered to be an adequate service level. This will be presented to the members of the Animal Control Advisory Committee at their meeting in early January, 1974.

PM:hs
12/19/73

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